

Penitentiaries: House bills Nos. 20, 35, 33 and 28.

Live Stock and Stock Raising: House bills Nos. 77 and 82.

School Districts: House bill No. 90.

Counties: House bill No. 87.

Public Health: House bill No. 104.

Game and Fisheries: House bill No. 114.

Banks and Banking: House bills Nos. 94, 91, 93, 92 and 102.

TENTH DAY.

(Friday, May 3, 1929.)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Barron.

The roll was called, and the following members were present:

Mr. Speaker.	Hubbard.
Acker.	Jenkins.
Ackerman.	Johnson
Adkins.	of Dimmit.
Albritton.	Johnson of Smith.
Anderson.	Johnson of Scurry.
Baker.	Jones.
Barnett.	Justiss.
Beck.	Kayton.
Bounds.	Keller.
Bradley.	Kennedy.
Brice.	Kincaid.
Brooks.	King.
Carpenter.	Kinnear.
Chastain.	Land.
Coltrin.	Lee.
Cox of Navarro.	Lemens.
Cox of Lamar.	Long of Wichita.
Cox of Limestone.	Loy.
Davis.	Mankin.
Dunlap.	Marks.
Enderby.	Martin.
Ewing.	Mauritz.
Eickenroht.	Maynard.
Finn.	McCombs.
Finlay.	McDonald.
Forbes.	McGill.
Gates.	McKean.
Gerron.	Minor.
Giles.	Moore.
Graves	Mosely.
of Williamson.	Mullally.
Graves of Erath.	Murphy.
Hardy.	Negley.
Harding.	Nicholson.
Harman.	Olsen.
Harper.	O'Neill.
Harrison.	Palmer.
Heaton.	Pavlica.
Hefley.	Petsch.
Hogg.	Pool.
Holder.	Pope of Jones.
Hornaday.	Pope of Nueces.

Prendergast.	Stevenson.
Purl.	Storey.
Quinn.	Strong.
Ray.	Tarwater.
Reader.	Thurmond.
Reid.	Tillotson.
Renfro.	Turner.
Richardson.	Van Zandt.
Rountree.	Veatch.
Sanders.	Waddell.
Savage.	Wallace.
Shaver.	Walters.
Shelton.	Warwick.
Sherrill.	Webb.
Simmons.	White.
Sinks.	Williams
Smith.	of Travis.
Snelgrove.	Woodall.
Speck.	Woodruff.
Stephens.	Young.

Absent.

Baldwin.	Patterson.
Montgomery.	Westbrook.

Absent—Excused.

Avis.	Long of Houston.
Bateman.	Mehl.
Bond.	Metcalfe.
Conway.	Morse.
DeWolfe.	Rogers.
Duvall.	Shipman.
Fuchs.	Thompson.
Gilbert.	Wiggs.
Hines.	Williams
Hopkins.	of Sabine.
Keeton.	Williams
Kemble.	of Hardin.
Kenyon.	

A quorum was announced present.

Prayer was offered by Rev. J. C. Mitchell, Chaplain.

LEAVES OF ABSENCE GRANTED.

The following members were granted leaves of absence on account of important business:

Mr. Mehl for today and the balance of the week, on motion of Mr. Reader.

Mr. Morse for today and tomorrow, on motion of Mr. Hardy.

Mr. Fuchs for today and tomorrow, on motion of Mr. Shelton.

Mr. Kinnear for today, on motion of Mr. Turner.

Mr. Long of Houston for today and the balance of the week, on motion of Mr. Finn.

Mr. Keeton for today and the balance of the week, on motion of Mr. Mauritz.

Mr. Hines for today and tomorrow, on motion of Mr. Prendergast.

Mr. Shipman for today and tomorrow, on motion of Mr. Graves of Erath.

Mr. Shaver for today and tomorrow, on motion of Mr. Sanders.

Mr. Bond for today, on motion of Mr. Stephens.

The following members were granted leaves of absence on account of illness:

Mr. Conway and Mr. Gilbert for today and tomorrow, on motion of Mr. Cox of Lamar.

Mr. Rogers for today, on motion of Mr. Jones.

Mr. Bateman for today and tomorrow, on motion of Mr. Richardson.

Mr. Duvall for today and tomorrow, on motion of Mr. Minor.

Mr. DeWolfe for today and the balance of the week, on motion of Mr. Woodruff.

Mr. Loy for today and tomorrow, on motion of Mr. Minor.

HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Graves of Erath:

H. B. No. 133, A bill to be entitled "An Act to levy and collect annually a three-dollar road tax against all able-bodied male citizens of Erath county, Texas, who are between the ages of twenty-one and forty-five years; providing the manner of assessment and collection of said tax; and repealing all laws in conflict therewith, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Quinn:

H. B. No. 134, A bill to be entitled "An Act levying and providing for the payment of a State occupation tax of one per cent on the mining, production and sale, by any system or manner, within this State, of cement, lime, sand, gravel, shell, asphalt, crude turpentine, salt, coal, lignite, marble, stone, brick, tile, timber, lumber, shingles, cross-ties, staves, wood, poles and pilings; provided, that on pine and timber less than eight inches in diameter, twelve inches from the ground, cut and sold, the tax shall be twenty per cent of the sale price, provided that twenty-five per cent of the taxes collected under this act shall be paid to the public free schools and seventy-five per cent shall be equally divided with each county in this State, for lateral public roads; requiring reports to be made and records to be kept by those engaged in the business, and

providing for the inspection thereof by certain public officials; prescribing penalties for failure to comply with the provisions of this act; providing for the payment of interest and penalties for delinquent taxes due hereunder; providing for suit to enforce the collection of delinquent taxes, interest, penalties and costs by certain officials; fixing the venue thereof and the compensation of officials for said services; providing that should any part of this act be declared unconstitutional it shall not affect any of the remaining provisions of this act; and this act shall become effective on July 1st, 1929; and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Cox of Limestone and others:

H. B. No. 135, A bill to be entitled "An Act to prevent fraud in the purchase of gasoline and oil and to assure correct measurement, and declaring the retail sale of gasoline and oil to be affected with a public interest; providing for the licensing of operators of pumps or devices for the measurement of gasoline and oil, and providing for the issue of such license, and declaring an emergency."

Referred to Committee on Agriculture.

By Mr. Savage:

H. B. No. 136, A bill to be entitled "An Act creating an advisory judicial council for the continuous study of and report upon the organization, rules, procedure and practice of the judicial system of this State, the work accomplished and the results produced by that system and its various parts and needed changes therein; prescribing the personnel of such council; prescribing its powers and duties; providing for the payment of the actual expenses of the council and its members, including clerical assistance."

Referred to Judiciary Committee.

By Mr. Harman:

H. B. No. 137, A bill to be entitled "An Act validating the sale of real estate by executors and administrators when citation was published as provided in Chapter 179, Acts of Regular Session, 1917, being now Article 28 of the Revised Civil Statutes of Texas, 1925, and where such citation was not posted as provided in Article 3568 of the Revised Civil Statutes of Texas, 1925, and declaring an emergency."

Referred to Judiciary Committee.

By Mr. Duvall and Mr. Beck:

H. B. No. 138, A bill to be entitled "An Act to amend subdivision 22 of Article 7047, of the Revised Civil Statutes of 1925, to make more equal and uniform the occupation tax on regularly established theaters where moving pictures or other entertainments are given, and providing for a reclassification of such theaters, whereby in cities of more than 40,000 population suburban theaters located more than one mile from the city hall (court house) of such city and other theaters in such cities having a seating capacity of not more than 500 and charging a regular admission fee of not more than twenty-five cents, shall be classified in the same classification as such theaters in towns of 10,000 to 15,000 population."

Referred to Committee on Revenue and Taxation.

By Mr. Duvall, Mr. Dunlap, Mr. Reader, Mr. Finn, Mr. Hubbard and Mrs. Moore:

H. B. No. 139, A bill to be entitled "An Act regulating the practice of medicine; amending Article 4495 of the Revised Civil Statutes of 1925, so as to provide for the Texas State Board of Medical Examiners and for the appointment of the members of said Board, and prescribing their term of office; amending Article 4498 of the Revised Civil Statutes of 1925, and Article 739 of the Penal Code of Texas, as codified in 1925, etc.; and declaring an emergency."

Referred to Committee on Public Health.

By Mr. Duvall, Mr. Dunlap, Mr. Reader and others:

H. B. No. 140, A bill to be entitled "An Act further regulating the practice of medicine within this State; requiring the payment of an annual registration fee by all persons lawfully qualified and engaged in the practice of medicine; and conferring certain powers on the Texas State Board of Medical Examiners in respect to the collection and expenditure of funds raised from the collection of such fees, etc.; and declaring an emergency."

Referred to Committee on Public Health.

By Mr. Jenkins:

H. B. No. 141, A bill to be entitled "An Act to abolish appeals by writ of error from any judgment of any district or county court in this State in civil cases, and to repeal Articles 2255, 2256,

2257, 2258, 2259, 2260, 2261, 2262, 2263, 2265, 2266, 2267, 2268, 2270 and 2276 of the Revised Civil Statutes of Texas, in reference to writs of error from the judgments in such courts, and all other laws or parts of laws in conflict with this act."

Referred to Judiciary Committee.

By Mr. Harrison, Mr. McGill and Mr. Pool:

H. B. No. 142, A bill to be entitled "An Act to validate proceedings of the district court of the Thirty-fourth Judicial District of Texas, sitting at El Paso, in certain criminal matters, and declaring an emergency."

Referred to Committee on Judicial Districts.

By Mr. Tillotson:

H. B. No. 143, A bill to be entitled "An Act to amend Title 128, Chapter 1, subdivision 1, Article 7466, of the Revised Civil Statutes of 1925, which article expresses the constitutional authority for control of waters, declaring them the property of the State, and defining the public rights thereto, by adding to Article 7466 subdivisions (a), (b) and (c); and which subdivisions provide, (a) for a policy declaring the uses and the relative importance of such uses for which the right to take and use waters of the State may be granted; (b) for the manner and extent of the use of waters for purposes authorized, and the conditions under which the right of eminent domain may be exercised, defining the procedure for the judicial review or orders of the Board of Water Engineers; and (c) expressing and directing the duties of the State agency charged with administration of the laws enacted in accord with the policy declared; providing that all laws in conflict with the provisions of the act shall be held in all things to have been repealed by the declaration of policy expressed; providing that if any provision of this act shall be held in contravention of the Constitution, such determination shall not affect other provisions, and declaring an emergency."

Referred to Committee on Conservation and Reclamation.

By Mr. Tillotson and Mr. Tarwater:

H. B. No. 144, A bill to be entitled "An Act amending House bill No. 123, levying an excise tax on motor fuels as defined therein, so as to provide for the return of all taxes paid on such motor fuels used for other purposes than the

propelling of motor vehicles upon and over the highways of this State; providing the method and manner of enforcement hereof, and for the making of said refunds."

Referred to Committee on Revenue and Taxation.

By Mr. Jenkins and Mr. Sinks:

H. B. No. 145. A bill to be entitled "An Act to provide for hearing dilatory pleas, to provide for the waiver of such pleas if not presented as herein provided; to repeal Articles 2164 and 2166 of the Revised Civil Statutes in regard to dilatory pleas, and to repeal all of the laws in conflict with this act."

Referred to Judiciary Committee.

BILL ORDERED NOT PRINTED.

On motion of Mr. Thurmond, House bill No. 90 was ordered not printed.

BILLS ORDERED PRINTED.

Mr. Jenkins moved that House bill No. 37, reported adversely with a minority favorable report, be printed.

Yeas and nays were demanded, and the motion prevailed by the following vote:

Yeas—64.

Acker.	Lee.
Ackerman.	Lemens.
Adkins.	Long of Wichita.
Albritton.	Mankin.
Anderson.	Mauritz.
Baker.	Moore.
Bounds.	Mosely.
Brice.	Nicholson.
Carpenter.	Palmer.
Coltrin.	Pope of Jones.
Cox of Navarro.	Pope of Nueces.
Cox of Lamar.	Prendergast.
Cox of Limestone.	Quinn.
Davis.	Ray.
Enderby.	Reader.
Ewing.	Reid.
Eickenroht.	Richardson.
Finlay.	Sanders.
Forbes.	Savage.
Giles.	Shelton.
Harman.	Sherrill.
Harding.	Simmons.
Harper.	Sinks.
Holder.	Snelgrove.
Jenkins.	Stephens.
Johnson of Smith.	Thurmond.
Johnson of Scurry.	Van Zandt.
Jones.	Veatch.
Justiss.	Walters.
Kennedy.	Warwick.
Kincaid.	Webb.
King.	Woodall.

Nays—35.

Barnett.	Keller.
Bradley.	Land.
Brooks.	Loy.
Chastain.	Martin.
Dunlap.	Maynard.
Finn.	McCombs.
Gates.	McKean.
Gerron.	Minor.
Graves	Mullally.
of Williamson.	Negley.
Graves of Erath.	Olsen.
Hardy.	Pool.
Harrison.	Purl.
Hefley.	Speck.
Hogg.	Strong.
Hornaday.	Tillotson.
Johnson	Waddell.
of Dimmit.	White.
Kayton.	

Present—Not Voting.

Mr. Speaker.

Absent.

Baldwin.	Pavlica.
Beck.	Petsch.
Heaton.	Renfro.
Hubbard.	Rountree.
Kinnear.	Stevenson.
Marks.	Storey.
McDonald.	Turner.
McGill.	Westbrook.
Montgomery.	Williams
Murphy.	of Travis.
O'Neill.	Woodruff.
Patterson.	Young.

Absent—Excused.

Avis.	Mehl.
Bateman.	Metcalfe.
Bond.	Morse.
Conway.	Rogers.
DeWolfe.	Shaver.
Duvall.	Shipman.
Fuchs.	Smith.
Gilbert.	Tarwater.
Hines.	Thompson.
Hopkins.	Wallace.
Keeton.	Wiggs.
Kemble.	Williams
Kenyon.	of Sabine.
Long of Houston.	Williams of Hardin.

Mr. Jenkins moved that House bill No. 39, reported adversely with a minority favorable report, be printed.

The motion prevailed by the following vote:

Yeas—55.

Acker.	Baker.
Ackerman.	Bounds.
Adkins.	Brice.

Carpenter.	Marks.
Coltrin.	Mauritz.
Cox of Navarro.	Maynard.
Cox of Lamar.	McGill.
Cox of Limestone.	McKean.
Davis.	Palmer.
Enderby.	Pope of Jones.
Ewing.	Quinn.
Eickenroht.	Ray.
Finlay.	Reader.
Forbes.	Renfro.
Giles.	Sanders.
Harding.	Savage.
Harman.	Shelton.
Harper.	Sherrill.
Holder.	Shipman.
Hubbard.	Simmons.
Jenkins.	Snelgrove.
Johnson of Smith.	Stephens.
Johnson of Scurry.	Van Zandt.
Jones.	Veatch.
Kennedy.	Waddell.
Kincaid.	Wallace.
Lee.	Webb.
Lemens.	White.

Nays—48.

Albritton.	Moore.
Anderson.	Mosely.
Barnett.	Mullally.
Bradley.	Murphy.
Brooks.	Negley.
Chastain.	Nicholson.
Finn.	Olsen.
Gates.	O'Neill.
Gerron.	Pavlica.
Graves	Pope of Nueces.
of Williamson.	Prendergast.
Graves of Erath.	Reid.
Hardy.	Richardson.
Harrison.	Rountree.
Hefley.	Sinks.
Johnson	Speck.
of Dimmit.	Stevenson.
Hogg.	Storey.
Justiss.	Strong.
Kayton.	Thurmond.
Keller.	Tillotson.
Land.	Walters.
Mankin.	Warwick.
Martin.	Williams of Travis.
McCombs.	Woodall.

Present—Not Voting.

Mr. Speaker.

Absent.

Baldwin.	Montgomery.
Beck.	Patterson.
Dunlap.	Petsch.
Heaton.	Pool.
Hornaday.	Purl.
King.	Turner.
Kinnear.	Westbrook.
Long of Wichita.	Woodruff.
McDonald.	Young.
Minor.	

Absent—Excused.

Avis.	Loy.
Bateman.	Mehl.
Bond.	Metcalfe.
Conway.	Morse.
DeWolfe.	Rogers.
Duvall.	Shaver.
Fuchs.	Smith.
Gilbert.	Tarwater.
Hines.	Thompson.
Hopkins.	Wiggs.
Keeton.	Williams
Kemble.	of Sabine.
Kenyon.	Williams
Long of Houston.	of Hardin.

RELATING TO SUBSCRIBING FOR
COPIES OF "TEXAS REVOL-
UTION."

Mr. Giles offered the following reso-
lution:

H. C. R. No. 5, To authorize the
Superintendent of Public Instruction to
subscribe for copies of "The Texas Revolu-
tion" as a reference book, by Colonel
Andrew Jackson Houston, for high
school libraries.

Whereas, It has been made known to
this Legislature that Colonel Andrew
Jackson Houston has completed a his-
tory of "The Texas Revolution," com-
piled from the official papers of Major
General Sam Houston, commander-in-
chief of the Texas army; and be it

Resolved, by the House of Representa-
tives, the Senate concurring, That the
State Superintendent of Public Instruc-
tion be, and he is hereby, authorized to
subscribe for one or more copies of "The
Texas Revolution," as written by Colo-
nel Andrew Jackson Houston, for each
high school library in Texas;

Provided, The State Superintendent of
Public Instruction, after an examination
of the manuscript, maps and illustra-
tions, shall decide that the work will
be useful as a reference book in the
libraries.

Signed—Giles, Johnson of Scurry,
Renfro, Woodall, Coltrin, Stephens,
Finlay, Bond, Kinnear, Turner, Mehl,
Hogg, Quinn, Tarwater, Olsen, Reader,
Snelgrove, Holder, Carpenter, Johnson
of Smith, Cox of Limestone, Richard-
son, Moore, Morse.

The resolution was read second time.

Mr. Quinn moved that the resolution
be referred to the Committee on Edu-
cation.

Mr. Anderson moved that the reso-
lution be referred to the Committee on
Appropriations.

The motion of Mr. Quinn prevailed.

RESOLUTION ORDERED PRINTED.

On motion of Mr. Holder, House concurrent resolution No. 4 was ordered printed in bill form.

RELATING TO HOUSE BILL NO. 28.

Mr. Young moved to reconsider the vote by which House bill No. 28 was set as a special order for next Wednesday following the disposition of Senate bills.

(Mr. Woodall in the chair.)

Mr. Rountree moved the previous question on the motion to reconsider, and the main question was ordered.

Question recurring on the motion to reconsider, yeas and nays were demanded.

The motion prevailed by the following vote:

Yeas—93.

Mr. Speaker.	Lee.
Acker.	Lemens.
Ackerman.	Long of Wichita.
Adkins.	Loy.
Albritton.	Mankin.
Anderson.	Martin.
Baker.	Mauritz.
Barnett.	Maynard.
Brice.	McDonald.
Brooks.	McGill.
Carpenter.	McKean.
Chastain.	Minor.
Coltrin.	Moore.
Cox of Limestone.	Mosely.
Davis.	Mullally.
Dunlap.	Negley.
Enderby.	Nicholson.
Ewing.	Olsen.
Finn.	O'Neill.
Finlay.	Palmer.
Forbes.	Pavlica.
Giles.	Pool.
Graves	Pope of Jones.
of Williamson.	Pope of Nueces.
Harper.	Prendergast.
Harrison.	Quinn.
Heaton.	Ray.
Hefley.	Reader.
Hogg.	Reid.
Holder.	Richardson.
Hopkins.	Rountree.
Jenkins.	Sanders.
Johnson	Savage.
of Dimmit.	Shelton.
Johnson of Smith.	Sherrill.
Johnson of Scurry.	Simmons.
Jones.	Sinks.
Justiss.	Smith.
Keller.	Speck.
Kincaid.	Stephens.
King.	Storey.
Land.	Strong.

Tarwater.
Tillotson.
Turner.
Veatch.
Wallace.
Walters.

Warwick.
Webb.
Williams
of Travis.
Woodall.
Young.

Nays—13.

Beck.
Bounds.
Cox of Navarro.
Graves of Erath.
Harding.
Hornaday.
Kennedy.

McCombs.
Murphy.
Purl.
Snelgrove.
Waddell.
Woodruff.

Absent.

Baldwin.
Bradley.
Cox of Lamar.
Eickenroht.
Gates.
Gerron.
Hardy.
Harman.
Hubbard.
Kayton.
Kinnear.

Marks.
Montgomery.
Patterson.
Petsch.
Renfro.
Stevenson.
Thurmond.
Van Zandt.
Westbrook.
White.

Absent—Excused.

Avis.
Bateman.
Bond.
Conway.
DeWolfe.
Duvall.
Fuchs.
Gilbert.
Hines.
Keeton.
Kemble.
Kenyon.
Long of Houston.

Mehl.
Metcalfe.
Morse.
Rogers.
Shaver.
Shipman.
Thompson.
Wiggs.
Williams
of Sabine.
Williams
of Hardin.

Mr. Young then withdrew the motion to set the bill as a special order for next Wednesday following the disposition of Senate bills.

HOUSE BILL NO. 28 ON SECOND READING.

Mr. Young moved that the regular order of business be suspended to take up and have placed on its second reading and passage to engrossment, House bill No. 28.

Mr. Purl moved that the bill be set as a special order for 2 o'clock p. m. today.

Question first recurring on the motion of Mr. Purl, yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—32.

Ackerman.	King.
Albritton.	Lemens.
Baker.	Marks.
Beck.	Martin.
Brice.	Mauritz.
Carpenter.	Maynard.
Coltrin.	McCombs.
Enderby.	Minor.
Ewing.	Negley.
Forbes.	Nicholson.
Gerron.	Prendergast.
Giles.	Purl.
Graves.	Quinn.
of Williamson.	Renfro.
Graves of Erath.	Sanders.
Johnson.	Tillotson.
of Dimmit.	Wallace.

Nays—72.

Mr. Speaker.	McKean.
Acker.	Moore.
Adkins.	Mosely.
Anderson.	Mullally.
Bounds.	Olsen.
Chastain.	Palmer.
Cox of Navarro.	Pavlica.
Cox of Lamar.	Petsch.
Cox of Limestone.	Pool.
Davis.	Pope of Jones.
Duvall.	Pope of Nueces.
Eickenroht.	Ray.
Finn.	Reader.
Finlay.	Reid.
Harper.	Richardson.
Harrison.	Rountree.
Heaton.	Savage.
Hefley.	Shelton.
Hogg.	Sherrill.
Holder.	Simmons.
Hornaday.	Sinks.
Hubbard.	Smith.
Jenkins.	Snelgrove.
Johnson of Smith.	Speck.
Johnson of Scurry.	Stephens.
Jones.	Stevenson.
Justiss.	Storey.
Kayton.	Strong.
Keller.	Tarwater.
Kennedy.	Turner.
Kincaid.	Veatch.
Land.	Waddell.
Lee.	Walters.
Long of Wichita.	Warwick.
Loy.	Webb.
Mankin.	Williams of Travis.
McDonald.	Woodall.
McGill.	Woodruff.

Present—Not Voting.

Hardy.	Young.
Van Zandt.	

Absent.

Baldwin.	Barnett.
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Bradley.	Montgomery.
Brooks.	Murphy.
Dunlap.	O'Neill.
Gates.	Patterson.
Harding.	Thurmond.
Harman.	Westbrook.
Kinnear.	White.

Absent—Excused.

Avis.	Mehl.
Bateman.	Metcalfe.
Bond.	Morse.
Conway.	Rogers.
DeWolfe.	Shaver.
Fuchs.	Shipman.
Gilbert.	Thompson.
Hines.	Wiggs.
Hopkins.	Williams
Keeton.	of Sabine.
Kemble.	Williams
Kenyon.	of Hardin.
Long of Houston.	

Question then recurring on the motion by Mr. Young, yeas and nays were demanded.

The motion prevailed by the following vote:

Yeas—97.

Mr. Speaker.	Johnson of Scurry.
Acker.	Jones.
Ackerman.	Justiss.
Adkins.	Kayton.
Anderson.	Keller.
Baker.	Kincaid.
Chastain.	King.
Coltrin.	Land.
Cox of Navarro.	Lee.
Cox of Lamar.	Lemens.
Cox of Limestone.	Long of Wichita.
Davis.	Loy.
Dunlap.	Mankin.
Enderby.	Marks.
Ewing.	Martin.
Eickenroht.	Mauritz.
Finn.	Maynard.
Finlay.	McDonald.
Forbes.	McGill.
Gates.	McKean.
Gerron.	Minor.
Giles.	Moore.
Graves.	Mosely.
of Williamson.	Mullally.
Harman.	Negley.
Harper.	Nicholson.
Harrison.	Olsen.
Heaton.	O'Neill.
Hefley.	Palmer.
Hogg.	Pavlica.
Holder.	Petsch.
Hubbard.	Pool.
Jenkins.	Pope of Jones.
Johnson.	Pope of Nueces.
of Dimmit.	Prendergast.
Johnson of Smith.	Quinn.

Ray.
Reader.
Reid.
Renfro.
Richardson.
Rountree.
Sanders.
Savage.
Shelton.
Sherrill.
Simmons.
Sinks.
Speck.
Stephens.
Stevenson.

Storey.
Strong.
Tillotson.
Turner.
Veatch.
Waddell.
Wallace.
Walters.
Warwick.
Webb.
Williams
of Travis.
Woodall.
Young.

Nays—9.

Albritton.
Beck.
Bounds.
Hornaday.
Kennedy.

Purl.
Snelgrove.
Tarwater.
Woodruff.

Present—Not Voting.

Hardy. Van Zandt.

Absent.

Baldwin.
Barnett.
Bradley.
Brice.
Brooks.
Carpenter.
Graves of Erath.
Harding.

Kinnear.
McCombs.
Montgomery.
Murphy.
Patterson.
Thurmond.
Westbrook.
White.

Absent—Excused.

Avis.
Bateman.
Bond.
Conway.
DeWolfe.
Duvall.
Fuchs.
Gilbert.
Hines.
Hopkins.
Keeton.
Kemble.
Kenyon.
Long of Houston.

Mehl.
Metcalf.
Morse.
Rogers.
Shaver.
Shipman.
Smith.
Thompson.
Wiggs.
Williams
of Sabine.
Williams
of Hardin.

Mr. Young moved that the House rule which relates to the time required for a printed bill to be placed on a member's desk be suspended for the purpose of taking up House bill No. 28.

The motion prevailed by the following vote:

Yeas—95.

Mr. Speaker.
Ackerman.
Adkins.

Albritton.
Anderson.
Beck.

Brice.
Carpenter.
Chastain.
Coltrin.
Cox of Navarro.
Cox of Lamar.
Cox of Limestone.
Davis.
Dunlap.
Enderby.
Ewing.
Eickenroht.
Finn.
Finlay.
Forbes.
Fuchs.
Gates.
Gerron.
Giles.
Graves
of Williamson.
Hardy.
Harrison.
Heaton.
Hefley.
Hogg.
Holder.
Jenkins.
Johnson
of Dimmit.
Johnson of Smith.
Johnson of Scurry.
Jones.
Justiss.
Keller.
Kincaid.
King.
Land.
Lee.
Lemens.
Long of Houston.
Long of Wichita.
Loy.
Mankin.
Marks.
Martin.
Mauritz.
Maynard.

McCombs.
McDonald.
McGill.
McKean.
Mehl.
Metcalf.
Minor.
Moore.
Mosely.
Mullally.
Negley.
Nicholson.
Palmer.
Pavlica.
Petsch.
Pool.
Pope of Jones.
Pope of Nueces.
Prendergast.
Quinn.
Ray.
Reader.
Reid.
Renfro.
Richardson.
Rountree.
Sanders.
Savage.
Shelton.
Sherrill.
Simmons.
Sinks.
Smith.
Speck.
Stephens.
Stevenson.
Storey.
Strong.
Tarwater.
Tillotson.
Turner.
Veatch.
Wallace.
Walters.
Warwick.
Webb.
Woodall.
Young.

Nays—9.

Bounds.
Hornaday.
Kennedy.
Olsen.
Purl.

Snelgrove.
Van Zandt.
Waddell.
Woodruff.

Absent.

Acker.
Baker.
Baldwin.
Barnett.
Bradley.
Brooks.
Graves of Erath.
Harding.
Harman.

Harper.
Hubbard.
Kayton.
Kinnear.
Montgomery.
Murphy.
O'Neill.
Patterson.
Thurmond.

Westbrook. Williams
White. of Travis.

Absent—Excused.

Avis.	Kenyon.
Bateman.	Morse.
Bond.	Rogers.
Conway.	Shaver.
DeWolfe.	Shipman.
Duvall.	Thompson.
Gilbert.	Wiggs.
Hines.	Williams
Hopkins.	of Sabine.
Keeton.	Williams
Kemble.	of Hardin.

The Speaker then laid before the House, on its second reading and passage to engrossment,

H. B. No. 28, A bill to be entitled "An Act providing for the concentration of the Texas prison system; increasing the duties, powers and functions of the Texas Prison Board; providing for the construction and building of buildings and walls and the location of a new penitentiary; providing for the removal of prisoners; providing for the purchase and sale of land and the sale and manner thereof of property now controlled and used by the prison system; providing for purchase and sale of products by said system and also by the Board of Control for other State institutions and purposes; making an appropriation, and declaring an emergency."

The bill was read second time.

Mr. Young offered the following amendment to the bill:

Amend House bill No. 28 by striking out all below the enacting clause and insert in lieu thereof the following:

Section 1. The Texas Prison Board is hereby empowered and directed, upon the taking effect of this act, to immediately begin the concentration of the Texas prison system upon any lands now owned by the prison system, and in concentration of said system the said Board is authorized and directed to construct new and adequate prison headquarters, including walls and buildings sufficient to accommodate a modern and complete prison system, together with such improvements, property, equipment and facilities as may be necessary for the proper and safe confinement of State prisoners. Said Board may make use of any other lands, property or equipment now used by the present system until disposed of as herein provided.

Sec. 2. The Prison Board is hereby authorized and directed to use all proper means toward salvaging the

property of the State now located and situated upon the farms which are to be abandoned upon the removal of the prisoners therefrom, and such material as may be in such condition as can be used in the construction of the walls and buildings to be constructed upon the site selected in accordance with Section 1 hereof shall be used for said purpose.

Sec. 3. After a site has been selected for the concentration and centralization of said prison system by the Prison Board, as provided for in Section 1 hereof, the Board may proceed to sell the farms belonging to said prison system not utilized, save and except the lands located in Brazoria and Fort Bend counties, Texas, in accordance with the terms, classifications and conditions governing the sale of public school lands of the State of Texas, through the General Land Office of Texas, with the acquiescence, advice and approval of the Texas Prison Board, but said Board shall reserve, and there is hereby reserved, to the State of Texas one-half ($\frac{1}{2}$) of all the oil, gas and other minerals in and under said lands; and the Prison Board or its successors may contract for the lease of said lands for mineral purposes, but shall not convey the mineral interest so reserved; provided further, the land which the prison system and buildings are located in the town of Huntsville, Walker county, Texas, if not utilized in the concentration of said system, if useful to the Sam Houston Teachers College of Huntsville and capable, in the judgment of the Legislature, of being converted for school purposes, shall be transferred by the Legislature to that institution for its use. All proceeds derived from the sale of said lands shall be deposited in the State Treasury to the credit of the general revenue fund. In the sale of any properties of the prison system, the privilege of removing improvements useful in the construction of buildings for the centralized system and for the operation of the system shall be reserved.

Sec. 4. The Prison Board shall determine the time and notify the Commissioner of the General Land Office when any of the lands authorized and directed are to be sold. Thereupon said Commissioner shall have the land surveyed into sections or other tracts of convenient size, the field notes of which shall be filed in the Land Office and a copy thereof filed in the office of the county surveyor in the county in which

said lands or parts thereof may be located.

Sec. 5. If the Prison Board shall conclude that additional lands are necessary for the efficient development of the prison system, as the same is concentrated as herein directed, the Prison Board shall report such additional lands to the Legislature, together with the description of such lands and all other facts of kind, character, quality and location of such lands and their proximity to the concentrated prison system as provided herein, together with the price at which such lands are offered to the State; said report shall be in writing and signed by at least three-fourths of said Prison Board, and no lands shall be purchased by said Prison Board until the Legislature shall direct such purchase and the price and terms thereof by bill regularly passed by the Legislature and approved by the Governor of this State.

Sec. 6. When the Prison Board shall decide that any properties reserved in Section 3 are no longer needed for the accommodation and employment of the State prisoners, said Prison Board shall report such decision to sell such land to the Legislature, and if the Legislature shall approve such report the Legislature shall direct such sale as herein provided by a bill regularly passed and approved by the Governor of this State, and such land shall not be sold until the Legislature directs said sale by such bill.

Sec. 7. The Texas Prison Board shall undertake, in the manner and to the extent experience and available funds suggest and permit, to provide for the utilization of prison labor in varying, useful employments, and particularly in those directions which are calculated to produce food supplies and necessities for all inmates of the State prison, and supplies and necessities for inmates of the eleemosynary institutions of the State.

Sec. 8. The Board of Control is hereby authorized to make contracts with the State Prison Board for the purchase of supplies, equipment and materials for use by other State institutions, including food, supplies, clothing, shoes, metal utensils and appliances, furniture and fixtures, and any and all other supplies or agricultural or manufactured products, printing and stationery, rock crushing or other labor for use of the State in any of its departments, commissions, boards, offices, or eleemosynary or educational institutions, including any and all supplies,

equipment, material or labor purchased or used by or for the State under the direction of the Board of Control.

Sec. 9. The sum of five hundred thousand dollars (\$500,000) is hereby appropriated for the first fiscal year of this biennium, beginning September 1, 1929, and ending August 31, 1930; and five hundred thousand dollars (\$500,000) is hereby appropriated for the second fiscal year of this biennium, beginning September 1, 1930, and ending August 1, 1931, to be made available for the salvaging and removal of all available property and materials as provided in this act, and for the purchase of building materials and equipment, and other expenditures necessary in the construction of walls and buildings and other equipment provided for in this act. Such funds shall be expended under the direction of the Prison Board, with the approval of the Board of Control, and be paid out as are other expenditures by the Prison Board. Said buildings and improvements shall be constructed in the manner now provided for the building of State buildings. The plans and specifications, architecture and engineering necessary in the construction of said buildings and improvements shall also be under the direction of the Board of Control. Provided, however, that the Board of Control shall not let any contract for the building of the same unless the Prison Board shall have approved the plans and specifications thereof.

Sec. 10. All laws or parts of laws in conflict herewith are hereby repealed, and if any provision of this act shall be held unconstitutional such findings shall not affect other provisions of this act.

Sec. 11. The fact that the prison system of the State of Texas is now scattered over a large portion of the State, which makes economical supervision of the same impractical in the interest of economy and the public good, creates an emergency and an imperative public necessity requiring the suspension of the constitutional rule that bills be read upon three several days in each house, and the same is hereby suspended, and that this act take effect and be in force from and after its passage, and it is so enacted.

Mr. Purl moved a call of the House for the purpose of maintaining a quorum pending consideration of House bill No. 28, and the motion was not seconded.

Mr. Jones moved a call of the House

for the purpose of maintaining a quorum until 12 o'clock m. today, and the motion was not seconded.

Mr. Purl moved that the House recess to 2 o'clock p. m. today, and the motion was lost.

Mr. Tillotson moved the previous question on the pending amendment and the bill, and the motion was duly seconded.

Question recurring on the main question, yeas and nays were demanded.

The main question was ordered by the following vote:

Yeas—68.

Mr. Speaker.	Minor.
Anderson.	Moore.
Baker.	Mosely.
Brooks.	Mullally.
Chastain.	Negley.
Coltrin.	Nicholson.
Cox of Navarro.	Olsen.
Cox of Lamar.	Palmer.
Davis.	Pavlica.
Enderby.	Petsch.
Ewing.	Pool.
Finlay.	Pope of Jones.
Forbes.	Pope of Nueces.
Gates.	Ray.
Graves.	Reader.
of Williamson.	Renfro.
Graves of Erath.	Rountree.
Harman.	Shelton.
Harper.	Simmons.
Harrison.	Sinks.
Heaton.	Smith.
Hefley.	Speck.
Hines.	Stevenson.
Hogg.	Storey.
Holder.	Strong.
Johnson of Smith.	Tarwater.
King.	Thurmond.
Lee.	Tillotson.
Long of Wichita.	Turner.
Loy.	Walters.
Mankin.	Warwick.
Martin.	Webb.
Mauritz.	White.
McCombs.	Williams
McDonald.	of Travis.
McKean.	

Nays—35.

Acker.	Giles.
Ackerman.	Hubbard.
Adkins.	Jenkins.
Albritton.	Johnson
Barnett.	of Dimmit.
Beck.	Jones.
Bounds.	Justiss.
Brice.	Keller.
Carpenter.	Kennedy.
Cox of Limestone.	Kincaid.
Gerron.	Lemens.

McGill.	Sherrill.
O'Neill.	Van Zandt.
Prendergast.	Veatch.
Purl.	Waddell.
Reid.	Wallace.
Sanders.	Woodall.
Savage.	Woodruff.

Present—Not Voting.

Hardy.	Stephens.
Marks.	Young.

Absent.

Baldwin.	Land.
Bradley.	Maynard.
Dunlap.	Montgomery.
Eickenroht.	Murphy.
Finn.	Patterson.
Harding.	Quinn.
Hornaday.	Richardson.
Johnson of Scurry.	Snelgrove.
Kayton.	Westbrook.
Kinnear.	

Absent—Excused.

Avis.	Mehl.
Bateman.	Metcalfe.
Bond.	Morse.
Conway.	Rogers.
DeWolfe.	Shaver.
Duvall.	Shipman.
Fuchs.	Thompson.
Gilbert.	Wiggs.
Hopkins.	Williams
Kemble.	of Sabine.
Keeton.	Williams
Kenyon.	of Hardin.
Long of Houston.	

Mr. McGill moved to reconsider the vote by which the previous question was ordered.

Mr. Williams of Travis moved to table the motion to reconsider.

The motion to table prevailed by the following vote:

Yeas—55.

Mr. Speaker.	Harrison.
Acker.	Heaton.
Anderson.	Hefley.
Bounds.	Hines.
Bradley.	Hogg.
Brice.	Holder.
Brooks.	Hopkins.
Chastain.	Johnson of Smith.
Davis.	Justiss.
Enderby.	Lee.
Gates.	Long of Wichita.
Graves	Loy.
of Williamson.	Mankin.
Graves of Erath.	Martin.
Harding.	McCombs.
Harman.	McKean.
Harper.	Minor.

Moore.	Simmons.
Mullally.	Smith.
Negley.	Stevenson.
Nicholson.	Storey.
O'Neill.	Strong.
Palmer.	Thurmond.
Pavlica.	Tillotson.
Pool.	Turner.
Pope of Nueces.	Walters.
Ray.	Warwick.
Reader.	Williams
Rountree.	of Travis.
Shelton.	

Nays—48.

Ackerman.	Marks.
Adkins.	McDonald.
Albritton.	McGill.
Carpenter.	Mosely.
Coltrin.	Olsen.
Cox of Navarro.	Pope of Jones.
Cox of Lamar.	Prendergast.
Cox of Limestone.	Purl.
Ewing.	Quinn.
Finlay.	Reid.
Forbes.	Renfro.
Gerron.	Sanders.
Giles.	Savage.
Hubbard.	Sherrill.
Jenkins.	Sinks.
Johnson	Snelgrove.
of Dimmit.	Speck.
Johnson of Scurry.	Tarwater.
Jones.	Van Zandt.
Kayton.	Veatch.
Keller.	Waddell.
Kennedy.	Wallace.
Kincaid.	Woodall.
King.	Woodruff.
Lemens.	

Present—Not Voting.

Hornaday.	Webb.
Mauritz.	Young.
Stephens.	

Absent.

Baker.	Land.
Baldwin.	Maynard.
Barnett.	Montgomery.
Beck.	Murphy.
Dunlap.	Patterson.
Eickenroht.	Petsch.
Finn.	Richardson.
Hardy.	White.
Kinnear.	Westbrook.

Absent—Excused.

Avis.	Keeton.
Bateman.	Kemble.
Bond.	Kenyon.
Conway.	Long of Houston.
DeWolfe.	Mehl.
Duvall.	Metcalf.
Fuchs.	Morse.
Gilbert.	Rogers.

Shaver.	Williams
Shipman.	of Sabine.
Thompson.	Williams
Wiggs.	of Hardin.

Mr. Sanders moved a call of the House for the purpose of securing a quorum, and the call was duly seconded.

Question recurring on the motion for the call of the House, yeas and nays were demanded.

The motion prevailed by the following vote:

Yeas—70.

Mr. Speaker.	Marks.
Acker.	Martin.
Ackerman.	Mauritz.
Adkins.	McGill.
Albritton.	McKean.
Anderson.	Moore.
Bounds.	Mosely.
Bradley.	Mullally.
Brice.	Negley.
Carpenter.	Palmer.
Coltrin.	Pavlica.
Cox of Limestone.	Pope of Jones.
Enderby.	Prendergast.
Ewing.	Reader.
Finlay.	Reid.
Forbes.	Renfro.
Giles.	Rountree.
Graves	Sanders.
of Williamson.	Savage.
Hardy.	Shelton.
Harman.	Sherrill.
Harper.	Simmons.
Heaton.	Sinks.
Jenkins.	Smith.
Johnson of Smith.	Stephens.
Johnson	Stevenson.
of Dimmit.	Strong.
Jones.	Thurmond.
Justiss.	Veatch.
Kennedy.	Wallace.
Kincaid.	Walters.
King.	Warwick.
Land.	White.
Lee.	Williams
Lemens.	of Travis.
Loy.	Woodall.
Mankin.	

Nays—7.

Cox of Navarro.	Ray.
Johnson of Scurry.	Richardson.
Minor.	Snelgrove.
Keller.	

Absent.

Baker.	Cox of Lamar.
Baldwin.	Davis.
Barnett.	Dunlap.
Beck.	Eickenroht.
Brooks.	Finn.
Chastain.	Gates.

Gerron.	O'Neill.
Graves of Erath.	Patterson.
Harding.	Petsch.
Harrison.	Pool.
Hefley.	Pope of Nueces.
Hogg.	Purl.
Holder.	Quinn.
Hornaday.	Speck.
Hubbard.	Storey.
Kayton.	Tarwater.
Kinnear.	Tillotson.
Long of Wichita.	Turner.
Maynard.	Van Zandt.
McCombs.	Waddell.
McDonald.	Webb.
Montgomery.	Westbrook.
Murphy.	Woodruff.
Nicholson.	Young.
Olsen.	

Absent—Excused.

Avis.	Long of Houston.
Bateman.	Mehl.
Bond.	Metcalf.
Conway.	Morse.
DeWolfe.	Rogers.
Duvall.	Shaver.
Fuchs.	Shipman.
Gilbert.	Thompson.
Hines.	Wiggs.
Hopkins.	Williams
Keeton.	of Sabine.
Kemble.	Williams
Kenyon.	of Hardin.

On motion of Mr. Sanders, the Sergeant-at-Arms was instructed to bring in all absent members within the city who are not ill.

Mr. Purl raised a point of order that there was not a quorum present.

The Clerk was directed to call the roll, and the following members were present:

Mr. Speaker.	Giles.
Acker.	Graves
Ackerman.	of Williamson.
Adkins.	Hardy.
Albritton.	Harding.
Anderson.	Harman.
Baker.	Harper.
Barnett.	Harrison.
Beck.	Heaton.
Bounds.	Hogg.
Bradley.	Holder.
Brice.	Hornaday.
Carpenter.	Hubbard.
Coltrin.	Johnson
Cox of Navarro.	of Dimmit.
Cox of Limestone.	Johnson of Smith.
Davis.	Johnson of Scurry.
Enderby.	Jones.
Finlay.	Justiss.
Forbes.	Keller.
Gates.	Kennedy.
Gerron.	Kincaid.

King.	Rountree.
Land.	Sanders.
Lee.	Savage.
Lemens.	Shelton.
Long of Wichita.	Sherrill.
Loy.	Simmons.
Mankin.	Sinks.
Marks.	Smith.
Martin.	Snelgrove.
Maynard.	Stephens.
McCombs.	Stevenson.
McDonald.	Storey.
McGill.	Strong.
McKean.	Tarwater.
Minor.	Thurmond.
Moore.	Tillotson.
Mosely.	Turner.
Mullally.	Van Zandt.
Negley.	Veatch.
Nicholson.	Waddell.
Palmer.	Wallace.
Pavlica.	Walters.
Petsch.	Warwick.
Pope of Jones.	Webb.
Prendergast.	White.
Purl.	Williams
Ray.	of Travis.
Reid.	Woodall.
Renfro.	Woodruff.
Richardson.	Young.

Absent.

Baldwin.	Mauritz.
Brooks.	Montgomery.
Chastain.	Murphy.
Cox of Lamar.	Olsen.
Dunlap.	O'Neill.
Ewing.	Patterson.
Eickenroht.	Pool.
Finn.	Pope of Nueces.
Graves of Erath.	Quinn.
Hefley.	Reader.
Jenkins.	Speck.
Kayton.	Westbrook.
Kinnear.	

Absent—Excused.

Avis.	Long of Houston.
Bateman.	Mehl.
Bond.	Metcalf.
Conway.	Morse.
DeWolfe.	Rogers.
Duvall.	Shaver.
Fuchs.	Shipman.
Gilbert.	Thompson.
Hines.	Wiggs.
Hopkins.	Williams
Keeton.	of Sabine.
Kemble.	Williams
Kenyon.	of Hardin.

The Speaker announced that there was a quorum present and overruled the point of order.

Mr. Pope of Jones moved a call of the

House for the purpose of maintaining a quorum until 4 o'clock p. m. today.

Question recurring on the motion for the call of the House, yeas and nays were demanded.

The motion prevailed by the following vote:

Yeas—83.

Mr. Speaker.	Martin.
Acker.	Mauritz.
Ackerman.	McDonald.
Adkins.	McKean.
Albritton.	Moore.
Anderson.	Mosely.
Baker.	Mullally.
Barnett.	Negley.
Bounds.	Nicholson.
Bradley.	Palmer.
Brice.	Pavlica.
Carpenter.	Petsch.
Coltrin.	Pope of Jones.
Cox of Lamar.	Prendergast.
Cox of Limestone.	Purl.
Davis.	Reid.
Enderby.	Renfro.
Ewing.	Richardson.
Forbes.	Rountree.
Giles.	Sanders.
Graves	Savage.
of Williamson.	Shelton.
Hardy.	Sherrill.
Harman.	Simmons.
Harper.	Sinks.
Harrison.	Smith.
Heaton.	Stephens.
Hubbard.	Stevenson.
Jenkins.	Storey.
Johnson	Tarwater.
of Dimmit.	Thurmond.
Johnson of Smith.	Tillotson.
Johnson of Scurry.	Turner.
Jones.	Veatch.
Justiss.	Wallace.
Kennedy.	Walters.
Kincaid.	Warwick.
King.	Webb.
Land.	White.
Long of Wichita.	Williams of Travis.
Loy.	Woodall.
Mankin.	Young.
Marks.	

Nays—18.

Beck.	Lemens.
Finlay.	Maynard.
Gates.	McCombs.
Gerron.	Minor.
Harding.	Ray.
Holder.	Snelgrove.
Hornaday.	Strong.
Keller.	Van Zandt.
Lee.	Woodruff.

Absent.

Baldwin. Brooks.

Chastain.	Murphy.
Cox of Navarro.	Olsen.
Dunlap.	O'Neill.
Eickenroht.	Patterson.
Finn.	Pool.
Graves of Erath.	Pope of Nueces.
Hefley.	Quinn.
Hogg.	Reader.
Kayton.	Speck.
Kinnear.	Waddell.
McGill.	Westbrook.
Montgomery.	

Absent—Excused.

Avis.	Long of Houston.
Bateman.	Mehl.
Bond.	Metcalfe.
Conway.	Morse.
DeWolfe.	Rogers.
Duvall.	Shaver.
Fuchs.	Shipman.
Gilbert.	Thompson.
Hines.	Wiggs.
Hopkins.	Williams
Keeton.	of Sabine.
Kemble.	Williams
Kenyon.	of Hardin.

The Speaker then directed the Door-keeper to close the main entrance to the Hall and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall, and stated that no member would be permitted to leave the Hall without written permission from the Speaker.

Mr. Tillotson moved that paragraph 8 of Rule XIV be suspended for the purpose of reconsidering the vote by which the previous question was ordered on House bill No. 28 and the pending amendment.

The motion prevailed by the following vote:

Yeas—94.

Mr. Speaker.	Gates.
Acker.	Giles.
Ackerman.	Graves
Adkins.	of Williamson.
Albritton.	Harding.
Anderson.	Harman.
Baker.	Harper.
Barnett.	Heaton.
Beck.	Jenkins.
Bradley.	Johnson
Brice.	of Dimmit.
Carpenter.	Johnson of Smith.
Coltrin.	Johnson of Scurry.
Cox of Lamar.	Jones.
Cox of Limestone.	Justiss.
Enderby.	Kennedy.
Ewing.	Kincaid.
Eickenroht.	King.
Finlay.	Land.
Forbes.	Lee.

Lemens.	Richardson.
Long of Wichita.	Rountree.
Loy.	Sanders.
Mankin.	Savage.
Marks.	Shelton.
Martin.	Simmons.
Mauritz.	Sinks.
Maynard.	Smith.
McCombs.	Snelgrove.
McDonald.	Stephens.
McKean.	Stevenson.
Minor.	Storey.
Moore.	Strong.
Mosely.	Tarwater.
Mullally.	Thurmond.
Negley.	Tillotson.
Nicholson.	Turner.
O'Neill.	Van Zandt.
Palmer.	Veatch.
Pavlica.	Waddell.
Pool.	Wallace.
Pope of Jones.	Walters.
Prendergast.	Warwick.
Purl.	Webb.
Quinn.	White.
Ray.	Woodall.
Reid.	Woodruff.
Renfro.	Young.

Nays—8.

Bounds.	Hornaday.
Gerron.	Keller.
Hardy.	Williams
Harrison.	of Travis.
Holder.	

Absent.

Baldwin.	Kinnear.
Brooks.	McGill.
Chastain.	Montgomery.
Cox of Navarro.	Murphy.
Davis.	Olsen.
Dunlap.	Patterson.
Finn.	Petsch.
Graves of Erath.	Pope of Nueces.
Hefley.	Reader.
Hogg.	Sherrill.
Hubbard.	Speck.
Kayton.	Westbrook.

Absent—Excused.

Avis.	Long of Houston.
Bateman.	Mehl.
Bond.	Metcalfe.
Conway.	Morse.
DeWolfe.	Rogers.
Duvall.	Shaver.
Fuchs.	Shipman.
Gilbert.	Thompson.
Hinea.	Wiggs.
Hopkins.	Williams
Keeton.	of Sabine.
Kemble.	Williams
Kenyon.	of Hardin.

Mr. Tillotson moved that paragraph 6 of Rule XIII also be suspended.

The motion prevailed by the following vote:

Yeas—95.

Mr. Speaker.	McDonald.
Acker.	McGill.
Ackerman.	McKean.
Adkins.	Minor.
Albritton.	Moore.
Anderson.	Mosely.
Baker.	Mullally.
Barnett.	Negley.
Beck.	Nicholson.
Brice.	Palmer.
Carpenter.	Pavlica.
Coltrin.	Petsch.
Cox of Lamar.	Pool.
Cox of Limestone.	Pope of Jones.
Davis.	Prendergast.
Enderby.	Purl.
Ewing.	Quinn.
Eickenroht.	Ray.
Finlay.	Reid.
Forbes.	Renfro.
Gates.	Richardson.
Giles.	Rountree.
Graves	Sanders.
of Williamson.	Savage.
Harman.	Shelton.
Harper.	Simmons.
Heaton.	Sinks.
Jenkins.	Smith.
Johnson	Snelgrove.
of Dimmit.	Stephens.
Johnson of Smith.	Stevenson.
Johnson of Scurry.	Storey.
Jones.	Strong.
Justiss.	Tarwater.
Keller.	Thurmond.
Kennedy.	Tillotson.
Kincaid.	Turner.
King.	Van Zandt.
Land.	Veatch.
Lee.	Waddell.
Lemens.	Wallace.
Long of Wichita.	Walters.
Loy.	Warwick.
Mankin.	Webb.
Marks.	White.
Martin.	Woodall.
Mauritz.	Woodruff.
Maynard.	Young.
McCombs.	

Nays—6.

Bounds.	Hornaday.
Hardy.	Williams
Harrison.	of Travis.
Holder.	

Present—Not Voting.

O'Neill.

Absent.

Baldwin.	Hubbard.
Bradley.	Kayton.
Brooks.	Kinnear.
Chastain.	Montgomery.
Cox of Navarro.	Murphy.
Dunlap.	Olsen.
Finn.	Patterson.
Gerron.	Pope of Nueces.
Graves of Erath.	Reader.
Harding.	Sherrill.
Hefley.	Speck.
Hogg.	Westbrook.

Absent—Excused.

Avis.	Long of Houston.
Bateman.	Mehl.
Bond.	Metcalfe.
Conway.	Morse.
DeWolfe.	Rogers.
Duvall.	Shaver.
Fuchs.	Shipman.
Gilbert.	Thompson.
Hines.	Wiggs.
Hopkins.	Williams
Keeton.	of Sabine.
Kemble.	Williams
Kenyon.	of Hardin.

Mr. Tillotson moved to reconsider the vote by which the House tabled the motion by Mr. McGill to reconsider the vote by which the previous question was ordered on House bill No. 28.

The motion to reconsider prevailed by the following vote:

Yeas—99.

Mr. Speaker.	Harper.
Acker.	Heaton.
Ackerman.	Hornaday.
Adkins.	Jenkins.
Albritton.	Johnson
Anderson.	of Dimmit.
Baker.	Johnson of Smith.
Barnett.	Johnson of Scurry.
Beck.	Jones.
Bounds.	Justiss.
Brice.	Keller.
Carpenter.	Kennedy.
Coltrin.	Kincaid.
Cox of Navarro.	King.
Cox of Limestone.	Land.
Davis.	Lee.
Duvall.	Lemens.
Enderby.	Long of Wichita.
Ewing.	Loy.
Finlay.	Mankin.
Forbes.	Marks.
Gates.	Martin.
Giles.	Mauritz.
Graves	Maynard.
of Williamson.	McCombs.
Harding.	McDonald.
Harman.	McGill.

McKean.	Simmons.
Minor.	Sinks.
Moore.	Smith.
Mosely.	Snelgrove.
Mullally.	Stephens.
Negley.	Stevenson.
Nicholson.	Storey.
O'Neill.	Strong.
Palmer.	Tarwater.
Pavlica.	Thurmond.
Petsch.	Tillotson.
Pool.	Turner.
Pope of Jones.	Van Zandt.
Prendergast.	Veatch.
Purl.	Waddell.
Quinn.	Wallace.
Ray.	Walters.
Reid.	Warwick.
Renfro.	Webb.
Richardson.	White.
Rountree.	Woodall.
Sanders.	Woodruff.
Savage.	Young.
Shelton.	

Nays—2.

Hardy.	Williams of Travis.
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Present—Not Voting.

Holder.

Absent.

Baldwin.	Hubbard.
Bradley.	Kayton.
Brooks.	Kinnear.
Chastain.	Montgomery.
Cox of Lamar.	Murphy.
Eickenroht.	Olsen.
Finn.	Patterson.
Gerron.	Pope of Nueces.
Graves of Erath.	Reader.
Harrison.	Sherrill.
Hefley.	Speck.
Hogg.	Westbrook.

Absent—Excused.

Avis.	Long of Houston.
Bateman.	Mehl.
Bond.	Metcalfe.
Conway.	Morse.
DeWolfe.	Rogers.
Dunlap.	Shaver.
Fuchs.	Shipman.
Gilbert.	Thompson.
Hines.	Wiggs.
Hopkins.	Williams
Keeton.	of Sabine.
Kemble.	Williams
Kenyon.	of Hardin.

Question then recurring on the motion by Mr. Williams of Travis to table the motion to reconsider, yeas and nays were demanded.

The motion to table was lost by the following vote:

Yeas—4.	
Anderson.	Holder.
Forbes.	Quinn.
Nays—98.	
Mr. Speaker.	Mauritz.
Acker.	Maynard.
Ackerman.	McCombs.
Adkins.	McDonald.
Albritton.	McGill.
Baker.	McKean.
Barnett.	Minor.
Beck.	Mosely.
Bounds.	Mullally.
Bradley.	Negley.
Brice.	Nicholson.
Carpenter.	O'Neill.
Coltrin.	Palmer.
Cox of Navarro.	Pavlica.
Cox of Lamar.	Petsch.
Cox of Limestone.	Pool.
Davis.	Pope of Jones.
Dunlap.	Prendergast.
Enderby.	Purl.
Ewing.	Ray.
Eickenroht.	Reid.
Finlay.	Renfro.
Gates.	Richardson.
Giles.	Rountree.
Graves	Sanders.
of Williamson.	Savage.
Harding.	Shelton.
Harman.	Simmons.
Harper.	Smith.
Heaton.	Snelgrove.
Hornaday.	Stephens.
Hubbard.	Stevenson.
Jenkins.	Storey.
Johnson	Strong.
of Dimmit.	Tarwater.
Johnson of Smith.	Thurmond.
Johnson of Scurry.	Tillotson.
Jones.	Turner.
Justiss.	Van Zandt.
Keller.	Veatch.
Kennedy.	Wallace.
Kincaid.	Walters.
King.	Warwick.
Land.	Webb.
Lee.	White.
Lemens.	Williams
Long of Wichita.	of Travis.
Loy.	Woodall.
Mankin.	Woodruff.
Marks.	Young.
Martin.	
Present—Not Voting.	
Hardy.	Sinks.
Harrison.	
Absent.	
Baldwin.	Finn.
Brooks.	Gerron.
Chastain.	Graves of Erath.

Hefley.	Patterson.
Hogg.	Pope of Nueces.
Kayton.	Reader.
Kinnear.	Sherrill.
Montgomery.	Speck.
Moore.	Waddell.
Murphy.	Westbrook.
Olsen.	
Absent—Excused.	
Avis.	Long of Houston.
Bateman.	Mehl.
Bond.	Metcalfe.
Conway.	Morse.
DeWolfe.	Rogers.
Duvall.	Shaver.
Fuchs.	Shipman.
Gilbert.	Thompson.
Hines.	Wiggs.
Hopkins.	Williams
Keeton.	of Sabine.
Kemble.	Williams
Kenyon.	of Hardin.

Question then recurring on the motion by Mr. McGill to reconsider the vote by which the previous question was ordered, it prevailed.

Question next recurring on the motion for the previous question, yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—6.	
Cox of Lamar.	Holder.
Eickenroht.	Land.
Harrison.	Tarwater.
Nays—95.	
Mr. Speaker.	Harper.
Acker.	Heaton.
Ackerman.	Hogg.
Adkins.	Hornaday.
Albritton.	Hubbard.
Baker.	Jenkins.
Barnett.	Johnson
Bond.	of Dimmit.
Bounds.	Johnson of Smith.
Bradley.	Johnson of Scurry.
Brice.	Jones.
Carpenter.	Justiss.
Chastain.	Keller.
Cox of Limestone.	Kennedy.
Davis.	Kincaid.
Duvall.	King.
Enderby.	Lee.
Ewing.	Lemens.
Finlay.	Long of Wichita.
Gates.	Loy.
Giles.	Mankin.
Graves	Marks.
of Williamson.	Martin.
Hardy.	Mauritz.
Harding.	Maynard.
Harman.	McCombs.

McGill.	Shelton.
McKean.	Simmons.
Mosely.	Sinks.
Mullally.	Smith.
Negley.	Snelgrove.
Nicholson.	Stephens.
O'Neill.	Stevenson.
Palmer.	Storey.
Pavlica.	Strong.
Petsch.	Thurmond.
Pool.	Tillotson.
Pope of Jones.	Turner.
Prendergast.	Van Zandt.
Purl.	Veatch.
Quinn.	Waddell.
Ray.	Wallace.
Reader.	Walters.
Reid.	Webb.
Renfro.	White.
Richardson.	Woodall.
Rountree.	Woodruff.
Sanders.	Young.
Savage.	

Present—Not Voting.

Cox of Navarro.	Williams
Warwick.	of Travis.

Absent.

Anderson.	McDonald.
Baldwin.	Minor.
Brooks.	Montgomery.
Coltrin.	Moore.
Finn.	Murphy.
Forbes.	Olsen.
Gerron.	Patterson.
Graves of Erath.	Pope of Nueces.
Hefley.	Sherrill.
Kayton.	Speck.
Kinnear.	Westbrook.

Absent—Excused.

Avis.	Long of Houston.
Bateman.	Mehl.
Beck.	Metcalf.
Conway.	Morse.
DeWolfe.	Rogers.
Dunlap.	Shaver.
Fuchs.	Shipman.
Gilbert.	Thompson.
Hines.	Wiggs.
Hopkins.	Williams
Keeton.	of Sabine.
Kemble.	Williams
Kenyon.	of Hardin.

Mr. Young offered the following amendment to the pending amendment:

Amend amendment to House bill No. 28, page 1, Section 1, by placing between the words "in" and "concentration" the word "the."

The amendment was adopted.

Mr. Young offered the following amendment to the amendment:

Amend amendment to House bill No. 28, page 1, by adding at end of Section 1 the following: "provided, however, that should it become necessary to erect a residence for a general manager, the cost of same shall not exceed \$10,000, and other residences shall not cost in excess of \$4000."

The amendment was adopted.

Mr. Young offered the following amendment to the amendment:

Amend amendment to House bill No. 28 by inserting between the words "in" and "Brazoria" the word "Harris."

The amendment was adopted.

Mr. Young offered the following amendment to the amendment:

Amend amendment to House bill No. 28 by striking out in the fourth line of page 2 the words and figures "one-half ($\frac{1}{2}$)" and insert "fifteen-sixteenths ($\frac{15}{16}$)."

Mr. McCombs moved to table the amendment, and the motion to table was lost.

Mr. McGill offered the following substitute for the amendment by Mr. Young:

Amend amendment by striking out the words and figures "one-half ($\frac{1}{2}$)."

Mr. Storey moved to extend the call of the House until 5:30 o'clock p. m. today.

Yeas and nays were demanded, and the motion prevailed by the following vote:

Yeas—72.

Mr. Speaker.	Johnson of Scurry.
Ackerman.	Justiss.
Albritton.	Kennedy.
Baker.	Kincaid.
Bounds.	King.
Bradley.	Land.
Brice.	Long of Wichita.
Carpenter.	Loy.
Coltrin.	Mankin.
Cox of Limestone.	Marks.
Dunlap.	Martin.
Enderby.	Mauritz.
Ewing.	Maynard.
Forbes.	McGill.
Gates.	McKean.
Giles.	Moore.
Graves	Mosely.
of Williamson.	Negley.
Hardy.	Nicholson.
Harman.	Palmer.
Harper.	Pavlica.
Heaton.	Petsch.
Hefley.	Pope of Jones.
Jenkins.	Purl.
Johnson	Quinn.
of Dimmit.	Reader.
Johnson of Smith.	Reid.

Rountree.
Sanders.
Savage.
Shelton.
Sinks.
Smith.
Stephens.
Stevenson.
Storey.
Strong.
Tarwater.

Tillotson.
Turner.
Van Zandt.
Veatch.
Wallace.
Walters.
Warwick.
Webb.
Woodall.
Woodruff.
Young.

Nays—30.

Acker.
Adkins.
Beck.
Cox of Navarro.
Davis.
Eickenroht.
Finlay.
Gerron.
Harding.
Hogg.
Holder.
Hornaday.
Hubbard.
Jones.
Keller.
Lee.

Lemens.
Minor.
Mullally.
O'Neill.
Pool.
Ray.
Renfro.
Richardson.
Simmons.
Snelgrove.
Thurmond.
Waddell.
White.
Williams
of Travis.

Present—Not Voting.

Prendergast.

Absent.

Anderson.
Baldwin.
Barnett.
Brooks.
Chastain.
Cox of Lamar.
Finn.
Graves of Erath.
Harrison.
Kayton.
Kinnear.

McCombs.
McDonald.
Montgomery.
Murphy.
Olsen.
Patterson.
Pope of Nueces.
Sherrill.
Speck.
Westbrook.

Absent—Excused.

Avis.
Bateman.
Bond.
Conway.
DeWolfe.
Duvall.
Fuchs.
Gilbert.
Hines.
Hopkins.
Keeton.
Kemble.
Kenyon.

Long of Houston.
Mehl.
Metcalf.
Morse.
Rogers.
Shaver.
Shipman.
Thompson.
Wiggs.
Williams
of Sabine.
Williams
of Hardin.

Question then recurring on the substitute amendment by Mr. McGill, yeas and nays were demanded.

The amendment was adopted by the following vote:

Yeas—70.

Mr. Speaker.
Ackerman.
Adkins.
Albritton.
Baker.
Bradley.
Brice.
Carpenter.
Cox of Lamar.
Davis.
Enderby.
Ewing.
Finlay.
Forbes.
Gates.
Gerron.
Giles.
Graves
of Williamson.
Hardy.
Harper.
Hefley.
Hornaday.
Jenkins.
Johnson
of Dimmit.
Jones.
Justiss.
Keller.
Kennedy.
Land.
Lee.
Lemens.
Long of Wichita.
Loy.
Mankin.

Martin.
Mauritz.
Maynard.
McGill.
Moore.
Mullally.
Nicholson.
Palmer.
Pavlica.
Pool.
Pope of Jones.
Prendergast.
Quinn.
Reid.
Renfro.
Richardson.
Sanders.
Savage.
Shelton.
Sherrill.
Sinks.
Snelgrove.
Stevenson.
Storey.
Strong.
Tarwater.
Thurmond.
Tillotson.
Turner.
Veatch.
Wallace.
Warwick.
Webb.
White.
Woodruff.
Young.

Nays—32.

Beck.
Bounds.
Coltrin.
Cox of Navarro.
Cox of Limestone.
Eickenroht.
Heaton.
Hogg.
Holder.
Hubbard.
Johnson of Scurry.
Kincaid.
King.
Marks.
McCombs.
McKean.
Minor.

Mosely.
Negley.
O'Neill.
Petsch.
Purl.
Reader.
Rountree.
Simmons.
Smith.
Stephens.
Van Zandt.
Waddell.
Walters.
Williams
of Travis.
Woodall.

Absent.

Acker.
Anderson.
Baldwin.
Barnett.
Brooks.
Chastain.
Dunlap.

Finn.
Graves of Erath.
Harding.
Harman.
Harrison.
Johnson of Smith.
Kayton.

Kinnear.
McDonald.
Montgomery.
Murphy.
Olsen.

Patterson.
Pope of Nueces.
Ray.
Speck.
Westbrook.

Absent—Excused.

Avis.
Bateman.
Bond.
Conway.
DeWolfe.
Duvall.
Fuchs.
Gilbert.
Hines.
Hopkins.
Keeton.
Kemble.
Kenyon.

Long of Houston.
Mehl.
Metcalf.
Morse.
Rogers.
Shaver.
Shipman.
Thompson.
Wiggs.
Williams
of Sabine.
Williams
of Hardin.

The amendment as substituted was then adopted.

Mr. Young offered the following amendment to the amendment:

Amend amendment to House bill No. 28, page 2, Section 4, by adding after the word "sold" in line 3 of Section 4, the following, "herein should be sold."

The amendment was adopted.

Mr. Young offered the following amendment to the amendment:

Amend amendment to House bill No. 28, page 3, Section 6, by striking out the following words near the end of said section, "and approved by the Governor."

The amendment was adopted.

Mr. Young offered the following amendment to the amendment:

Amend amendment to House bill No. 28, page 3, Section 8, line 6 of said section, by inserting the following words between the words "products" and "printing," the following, "book binding."

The amendment was adopted.

Mr. Young offered the following amendment to the amendment:

Amend amendment to House bill No. 28, page 3, Section 8, by adding at the end of Section 8 the following, "and the Highway Department is authorized to contract with the State Prison Board for the manufacture, sale and delivery of cement, other materials and labor for use in the construction and maintenance of State highways and highway appurtenances."

Mr. Purl moved to table the amendment.

Yeas and nays were demanded, and the motion to table was lost by the following vote:

Yeas—10.

Beck.
Davis.
Ewing.
Giles.
Harrison.

McCombs.
O'Neill.
Purl.
Strong.
Van Zandt.

Nays—89.

Mr. Speaker.
Ackerman.
Adkins.
Albritton.
Baker.
Barnett.
Bounds.
Bradley.
Brice.
Carpenter.
Coltrin.
Cox of Navarro.
Cox of Lamar.
Cox of Limestone.
Dunlap.
Enderby.
Eickenroht.
Finlay.
Forbes.
Gerron.
Graves
of Williamson.
Hardy.
Harman.
Harper.
Heaton.
Hefley.
Holder.
Hornaday.
Hubbard.
Jenkins.
Johnson
of Dimmit.
Johnson of Smith.
Johnson of Scurry.
Jones.
Justiss.
Kayton.
King.
Land.
Lee.
Lemens.
Long of Wichita.
Loy.
Mankin.
Marks.
Martin.
Mauritz.

Maynard.
McDonald.
McGill.
McKean.
Minor.
Moore.
Mosely.
Mullally.
Negley.
Nicholson.
Palmer.
Pavlica.
Petsch.
Pool.
Pope of Jones.
Quinn.
Reader.
Reid.
Renfro.
Richardson.
Rountree.
Sanders.
Savage.
Shelton.
Sherrill.
Simmons.
Sinks.
Smith.
Snelgrove.
Stephens.
Stevenson.
Storey.
Tarwater.
Thurmond.
Tillotson.
Turner.
Veatch.
Waddell.
Wallace.
Walters.
Warwick.
Webb.
Williams
of Travis.
Woodall.
Woodruff.
Young.

Present—Not Voting.

Keller.
Kennedy.

Prendergast.

Absent.

Acker.
Anderson.

Baldwin.
Brooks.

Chastain.
Finn.
Gates.
Graves of Erath.
Harding.
Hogg.
Kincaid.
Kinnear.
Montgomery.

Murphy.
Olsen.
Patterson.
Pope of Nueces.
Ray.
Speck.
Westbrook.
White.

Absent—Excused.

Avis.
Bateman.
Bond.
Conway.
DeWolfe.
Duvall.
Fuchs.
Gilbert.
Hines.
Hopkins.
Keeton.
Kemble.
Kenyon.

Long of Houston.
Mehl.
Metcalf.
Morse.
Rogers.
Shaver.
Shipman.
Thompson.
Wiggs.
Williams
of Sabine.
Williams
of Hardin.

Mr. Richardson offered the following substitute for the amendment:

Amend amendment to House bill No. 28 by adding a new paragraph to Section 8, to be placed in the proper place, which is to read as follows:

"And provided further, that the State Prison Board is hereby authorized to build, establish and maintain a prison cement factory to be located in a convenient place. Transportation, water, health and raw material for manufacturing cement being considered, and that such cement manufactured in such plant be subject to sale to the State Highway Commission, and that the State Highway Commissioners are hereby authorized and empowered to make construction and purchase from the State Prison Board cement and by-products such as may be manufactured at said plant by the said Prison Board, and that the Board of Control is hereby authorized to buy and purchase from the State Prison Board cement and by-products for the use and benefit of the State of Texas in any and all buildings, walks and such structure in which such products are used. The cost of construction and maintenance of the said State prison cement plant may be paid out of the given appropriation in Section 9 of this law."

Signed—Richardson, Keller.

Mr. Justiss moved to table the substitute amendment.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yeas—90.

Mr. Speaker.	Martin.
Ackerman.	Mauritz.
Adkins.	Maynard.
Albritton.	McCombs.
Baker.	McDonald.
Beck.	McGill.
Brice.	McKean.
Coltrin.	Minor.
Cox of Lamar.	Moore.
Cox of Limestone.	Mosely.
Davis.	Negley.
Dunlap.	Nicholson.
Enderby.	O'Neill.
Ewing.	Palmer.
Eickenroht.	Pavlica.
Finlay.	Petsch.
Forbes.	Pope of Jones.
Gates.	Prendergast.
Gerron.	Purl.
Giles.	Reader.
Graves	Reid.
of Williamson.	Renfro.
Hardy.	Rountree.
Harman.	Sanders.
Harper.	Savage.
Harrison.	Shelton.
Heaton.	Sherrill.
Hogg.	Simmons.
Holder.	Sinks.
Hornaday.	Smith.
Hubbard.	Stephens.
Jenkins.	Stevenson.
Johnson	Storey.
of Dimmit.	Tarwater.
Johnson of Smith.	Thurmond.
Johnson of Scurry.	Tillotson.
Jones.	Turner.
Justiss.	Van Zandt.
Kayton.	Waddell.
King.	Wallace.
Land.	Walters.
Lee.	Warwick.
Lemens.	Webb.
Long of Wichita.	White.
Loy.	Woodall.
Mankin.	Young.

Nays—15.

Barnett.	Pool.
Bounds.	Quinn.
Bradley.	Richardson.
Carpenter.	Snelgrove.
Hefley.	Strong.
Keller.	Veatch.
Kennedy.	Woodruff.
Marks.	

Present—Not Voting.

Cox of Navarro.	Williams of Travis.
Kincaid.	

Absent.

Acker.	Baldwin.
Anderson.	Brooks.

Chastain.	Murphy.
Finn.	Olsen.
Graves of Erath.	Patterson.
Harding.	Pope of Nueces.
Kinnear.	Ray.
Montgomery.	Speck.
Mullally.	Westbrook.

Absent—Excused.

Avis.	Long of Houston.
Bateman.	Mehl.
Bond.	Metcalf.
Conway.	Morse.
DeWolfe.	Rogers.
Duvall.	Shaver.
Fuchs.	Shipman.
Gilbert.	Thompson.
Hines.	Wiggs.
Hopkins.	Williams
Keeton.	of Sabine.
Kemble.	Williams
Kenyon.	of Hardin.

Question then recurring on the amendment by Mr. Young, yeas and nays were demanded.

The amendment was adopted by the following vote:

Yeas—91.

Mr. Speaker.	Justiss.
Ackerman.	Keller.
Adkins.	Kennedy.
Albritton.	Kincaid.
Baker.	King.
Barnett.	Land.
Bradley.	Lee.
Brice.	Long of Wichita.
Carpenter.	Mankin.
Coltrin.	Marks.
Cox of Navarro.	Martin.
Cox of Lamar.	Maynard.
Cox of Limestone.	McDonald.
Dunlap.	McGill.
Enderby.	Minor.
Ewing.	Moore.
Eickenroht.	Mosely.
Finlay.	Negley.
Forbes.	Nicholson.
Gerron.	O'Neill.
Giles.	Palmer.
Graves	Pavlica.
of Williamson.	Petsch.
Hardy.	Pool.
Harper.	Pope of Jones.
Heaton.	Prendergast.
Hines.	Quinn.
Holder.	Reader.
Hornaday.	Reid.
Hubbard.	Renfro.
Jenkins.	Rountree.
Johnson	Sanders.
of Dimmit.	Savage.
Johnson of Smith.	Shelton.
Johnson of Scurry.	Sherrill.
Jones.	Simmons.

Sinks.	Veatch.
Smith.	Waddell.
Snelgrove.	Wallace.
Stephens.	Walters.
Stevenson.	Warwick.
Storey.	Webb.
Strong.	White.
Tarwater.	Woodall.
Thurmond.	Woodruff.
Tillotson.	Young.
Turner.	

Nays—11.

Bounds.	McCombs.
Harman.	McKean.
Harrison.	Purl.
Hefley.	Richardson.
Lemens.	Van Zandt.
Loy.	

Present—Not Voting.

Williams of Travis.

Absent.

Acker.	Kinnear.
Anderson.	Mauritz.
Baldwin.	Montgomery.
Beck.	Mullally.
Brooks.	Murphy.
Chastain.	Olsen.
Davis.	Patterson.
Finn.	Pope of Nueces.
Gates.	Ray.
Graves of Erath.	Speck.
Harding.	Westbrook.
Kayton.	

Absent—Excused.

Avis.	Long of Houston.
Bateman.	Mehl.
Bond.	Metcalf.
Conway.	Morse.
DeWolfe.	Rogers.
Duvall.	Shaver.
Fuchs.	Shipman.
Gilbert.	Thompson.
Hogg.	Wiggs.
Hopkins.	Williams
Keeton.	of Sabine.
Kemble.	Williams
Kenyon.	of Hardin.

Mr. Purl offered the following amendment to the amendment:

Amend the amendment, Section 8, by adding the following: "nothing in this section shall be construed as to authorize or permit the Prison Commissioners to contract for the erecting of any manufacturing plant where initial cost shall exceed one-half million dollars without the consent of the State Legislature."

The amendment was lost.

Mr. Young offered the following amendments to the amendment:

(1)

Amend the amendment to House bill No. 28, Section 9, page 3, third line from bottom, by striking out the figure "1" and insert in lieu thereof the figures "31st."

(2)

Amend the amendment to House bill No. 28 by changing the first complete sentence on page 4 of said bill, in Section 9, so that the same will read as follows: "Such funds shall be expended under the direction of the Prison Board, the vouchers to be checked by the Board of Control, and the improvements shall be planned and the specifications drawn by the State architect."

The amendments were severally adopted.

Mr. Kennedy offered the following amendment to the amendment:

Amend the amendment to House bill No. 28 by striking out the words "may proceed to sell" in line 3 of Section 3, and insert in lieu thereof the words "may recommend to the Legislature the sale of."

The amendment was lost.

Mr. Purl offered the following amendment to the amendment:

Amend by adding a new section, to be known as Section 8a: "The Prison Commissioners and the Board of Control are directed that no prison labor shall ever be used for the manufacturing of shirts and overalls for any commercial purposes except as provided in this act."

Mr. Finlay moved to table the amendment.

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yeas—76.

Mr. Speaker.	Graves
Ackerman.	of Williamson.
Adkins.	Hardy.
Albritton.	Harman.
Baker.	Harper.
Bounds.	Heaton.
Brice.	Hefley.
Carpenter.	Hornaday.
Coltrin.	Jenkins.
Cox of Navarro.	Johnson
Cox of Lamar.	of Dimmit.
Cox of Limestone.	Jones.
Enderby.	Justiss.
Ewing.	Kincaid.
Eickenroht.	Land.
Finlay.	Lee.
Forbes.	Lemens.
Gerron.	Loy.
Giles.	Mankin.

Martin.	Rountree.
Mauritz.	Sanders.
McDonald.	Shelton.
McGill.	Sherrill.
McKean.	Simmons.
Minor.	Sinks.
Moore.	Snelgrove.
Mullally.	Stephens.
Negley.	Stevenson.
Nicholson.	Strong.
O'Neill.	Tarwater.
Palmer.	Thurmond.
Pavlica.	Turner.
Petsch.	Veatch.
Pool.	Walters.
Pope of Jones.	Warwick.
Prendergast.	Webb.
Reid.	White.
Renfro.	Woodall.
Richardson.	Young.

Nays—24.

Beck.	McCombs.
Bradley.	Mosely.
Davis.	Purl.
Harrison.	Quinn.
Hogg.	Reader.
Hubbard.	Savage.
Johnson of Smith.	Smith.
Johnson of Scurry.	Storey.
Keller.	Van Zandt.
Kennedy.	Williams
King.	of Travis.
Marks.	Woodruff.
Maynard.	

Absent.

Acker.	Kinnear.
Anderson.	Long of Wichita.
Baldwin.	Montgomery.
Barnett.	Murphy.
Brooks.	Olsen.
Chastain.	Patterson.
Dunlap.	Pope of Nueces.
Finn.	Ray.
Gates.	Speck.
Graves of Erath.	Tillotson.
Harding.	Waddell.
Holder.	Westbrook.
Kayton.	

Absent—Excused.

Avis.	Long of Houston.
Bateman.	Mehl.
Bond.	Metcalfe.
Conway.	Morse.
DeWolfe.	Rogers.
Duvall.	Shaver.
Fuchs.	Shipman.
Gilbert.	Thompson.
Hines.	Wallace.
Hopkins.	Wiggs.
Keeton.	Williams of Sabine.
Kemble.	Williams
Kenyon.	of Hardin.

Mr. Loy offered the following amendment to the amendment:

Amend the amendment by adding to Section 8 the following language: "The Board of Control shall purchase all supplies used by the penitentiary system, such articles including furniture, fixtures and all things needed by the system except strictly perishable goods."

The amendment was adopted.

Mr. Turner offered the following amendment to the amendment:

Amend the amendment to House bill No. 28 by adding in Section 8, page 3, the words "brick, tile and sewer pipe" after the word "products" and before "bookbinding."

The amendment was adopted.

Mr. Williams of Travis offered the following amendment to the amendment:

Amend the amendment to House bill No. 28 by striking out all of Section 4 and substituting in lieu thereof the following: "The Prison Board shall determine the time when any of the lands are to be sold and notify the Commissioner of the General Land Office thereof, and thereupon said Commissioner shall have such lands surveyed into tracts of one hundred acres or other convenient acreage and file the maps and field notes thereof in the Land Office and one copy of each in the office of the county clerk of the county in which such land is situated. The Commissioner may sell such land for cash or on terms not exceeding twenty years, with not less than one-fifteenth thereof in cash and deferred payments evidenced by a contract in writing and bearing interest at the rate of six per cent from date of such contract, and when paid for the title shall pass as now provided in the sale of scrap lands."

(Pending consideration of the amendment, Mr. McGill occupied the chair temporarily.)

The amendment was adopted.

Mr. Woodruff offered the following amendment to the amendment:

Amend the amendment by adding after Section 9 a new section, to be numbered 9a and to read as follows:

"Sec. 9a. It is expressly provided that no contract by the Board of Control for the purchase or sale of goods, wares, merchandise or other commodity or thing shall be let unless a majority of the Board are present in a regular meeting for the purpose."

Mr. Storey moved that the call of the House be extended pending consideration of House bill No. 28.

Yeas and nays were demanded, and the motion prevailed by the following vote:

Yeas—67.

Mr. Speaker.	Mullally.
Ackerman.	Negley.
Adkins.	Nicholson.
Baker.	Palmer.
Bradley.	Pavlica.
Coltrin.	Petsch.
Davis.	Pool.
Enderby.	Pope of Jones.
Ewing.	Purl.
Forbes.	Quinn.
Giles.	Reader.
Graves	Reid.
of Williamson.	Renfro.
Hardy.	Rountree.
Harman.	Sanders.
Harper.	Savage.
Heaton.	Shelton.
Hogg.	Sherrill.
Jenkins.	Sinks.
Johnson	Stevenson.
of Dimmit.	Storey.
Johnson of Scurry.	Tarwater.
Justiss.	Thurmond.
Kincaid.	Tillotson.
King.	Turner.
Long of Wichita.	Van Zandt.
Loy.	Veatch.
Mankin.	Walters.
Martin.	Warwick.
Mauritz.	Webb.
Maynard.	Williams
McDonald.	of Travis.
McGill.	Woodall.
Moore.	Woodruff.
Mosely.	Young.

Nays—37.

Albritton.	Jones.
Barnett.	Kayton.
Beck.	Keller.
Bounds.	Land.
Brice.	Lee.
Carpenter.	Lemens.
Cox of Navarro.	Marks.
Cox of Lamar.	McCombs.
Cox of Limestone.	Minor.
Eickenroht.	O'Neill.
Finlay.	Richardson.
Gates.	Simmons.
Gerron.	Smith.
Harrison.	Snelgrove.
Hefley.	Stephens.
Holder.	Strong.
Hornaday.	Waddell.
Hubbard.	White.
Johnson of Smith.	

Absent.

Acker.	Brooks.
Anderson.	Chastain.
Baldwin.	Dunlap.

Finn.	Olsen.
Graves of Erath.	Patterson.
Harding.	Pope of Nueces.
Kennedy.	Prendergast.
Kinnear.	Ray.
McKean.	Speck.
Montgomery.	Westbrook.
Murphy.	

Absent—Excused.

Avis.	Long of Houston.
Bateman.	Mehl.
Bond.	Metcalf.
Conway.	Morse.
DeWolfe.	Rogers.
Duvall.	Shaver.
Fuchs.	Shipman.
Gilbert.	Thompson.
Hines.	Wallace.
Hopkins.	Wiggs.
Keeton.	Williams of Sabine.
Kemble.	Williams
Kenyon.	of Hardin.

Mr. McCombs moved to reconsider the vote by which the call of the House was extended, and to table the motion to reconsider.

The motion to table prevailed.

Question then recurring on the amendment by Mr. Woodruff, it was lost by the following vote:

Yeas—24.

Adkins.	Marks.
Albritton.	Maynard.
Baker.	Moore.
Bradley.	Prendergast.
Carpenter.	Purl.
Cox of Lamar.	Smith.
Cox of Limestone.	Snelgrove.
Enderby.	Stevenson.
Ewing.	Strong.
Hefley.	Veatch.
Land.	Waddell.
Lemens.	Woodruff.

Nays—77.

Mr. Speaker.	Harman.
Ackerman.	Harper.
Barnett.	Harrison.
Beck.	Heaton.
Bounds.	Hogg.
Brice.	Holder.
Coltrin.	Hornaday.
Cox of Navarro.	Hubbard.
Davis.	Jenkins.
Finlay.	Johnson
Forbes.	of Dimmit.
Gates.	Johnson of Smith.
Gerron.	Johnson of Scurry.
Giles.	Jones.
Graves	Justiss.
of Williamson.	Kayton.
Hardy.	Keller.

Kincaid.	Renfro.
King.	Richardson.
Lee.	Rountree.
Long of Wichita.	Sanders.
Loy.	Savage.
Mankin.	Shelton.
Martin.	Sherrill.
Mauritz.	Simmons.
McCombs.	Sinks.
McDonald.	Stephens.
McGill.	Storey.
McKean.	Tarwater.
Minor.	Tillotson.
Mosely.	Turner.
Mullally.	Van Zandt.
Negley.	Wallace.
Nicholson.	Walters.
O'Neill.	Warwick.
Palmer.	Webb.
Pavlica.	White.
Petsch.	Williams
Pool.	of Travis.
Pope of Jones.	Woodall.
Reader.	Young.
Reid.	

Present—Not Voting.

Kennedy.	Quinn.
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Absent.

Acker.	Kinnear.
Anderson.	Montgomery.
Baldwin.	Murphy.
Brooks.	Olsen.
Chastain.	Patterson.
Dunlap.	Ray.
Eickenroht.	Pope of Nueces.
Finn.	Speck.
Graves of Erath.	Thurmond.
Harding.	Westbrook.

Absent—Excused.

Avis.	Long of Houston.
Bateman.	Mehl.
Bond.	Metcalf.
Conway.	Morse.
DeWolfe.	Rogers.
Duvall.	Shaver.
Fuchs.	Shipman.
Gilbert.	Thompson.
Hines.	Wiggs.
Hopkins.	Williams
Keeton.	of Sabine.
Kemble.	Williams
Kenyon.	of Hardin.

Mr. Purl offered the following amendment to the amendment:

Amend the amendment by striking out "three-fourths" in the second last line on page 2 of substitute and insert in lieu thereof the words "a majority thereof."

The amendment was adopted.

Mr. Purl offered the following amendment to the amendment:

Amend the amendment by adding a new section, to be Section 6a: "If any prison land is ordered sold by any act of the Legislature, no commission or extra fee shall be paid by the State of Texas to any individual, realtor or real estate agent."

Mr. Sanders moved the previous question on the pending amendments and the bill, and the main question was ordered.

Question first recurring on the amendment by Mr. Purl, yeas and nays were demanded.

The amendment was lost by the following vote:

Yeas—17.

Bradley.	Kennedy.
Cox of Navarro.	King.
Cox of Lamar.	McCombs.
Davis.	Mosely.
Ewing.	Purl.
Heaton.	Savage.
Holder.	Smith.
Jenkins.	Stephens.
Keller.	

Nays—85.

Mr. Speaker.	Lee.
Ackerman.	Long of Wichita.
Adkins.	Loy.
Albritton.	Mankin.
Baker.	Martin.
Barnett.	Mauritz.
Beck.	Maynard.
Bounds.	McDonald.
Brice.	McGill.
Carpenter.	McKean.
Coltrin.	Minor.
Cox of Limestone.	Moore.
Enderby.	Mullally.
Eickenroht.	Negley.
Finlay.	Nicholson.
Forbes.	O'Neill.
Gerron.	Palmer.
Giles.	Pavlica.
Graves	Petsch.
of Williamson.	Pool.
Hardy.	Pope of Jones.
Harman.	Prendergast.
Harper.	Reader.
Harrison.	Reid.
Hefley.	Renfro.
Hogg.	Richardson.
Hornaday.	Rountree.
Hubbard.	Sanders.
Johnson	Shelton.
of Dimmit.	Sherrill.
Johnson of Smith.	Simmons.
Johnson of Scurry.	Sinks.
Jones.	Snelgrove.
Justiss.	Stevenson.
Kayton.	Storey.
Kincaid.	Strong.
Land.	Tarwater.

Thurmond.	Warwick.
Tillotson.	Webb.
Turner.	White.
Van Zandt.	Williams
Veatch.	of Travis.
Waddell.	Woodall.
Wallace.	Woodruff.
Walters.	Young.

Present—Not Voting.

Lemens.	Quinn.
	Absent.

Acker.	Kinnear.
Anderson.	Marks.
Baldwin.	Montgomery.
Brooks.	Murphy.
Chastain.	Olsen.
Dunlap.	Patterson.
Finn.	Pope of Nueces.
Gates.	Ray.
Graves of Erath.	Speck.
Harding.	Westbrook.

Absent—Excused.

Avis.	Long of Houston.
Bateman.	Mehl.
Bond.	Metcalfe.
Conway.	Morse.
DeWolfe.	Rogers.
Duvall.	Shaver.
Fuchs.	Shipman.
Gilbert.	Thompson.
Hines.	Wiggs.
Hopkins.	Williams
Keeton.	of Sabine.
Kemble.	Williams
Kenyon.	of Hardin.

Question then recurring on the amendment as amended, it was adopted by the following vote:

Yeas—100.

Mr. Speaker.	Giles.
Ackerman.	Graves
Adkins.	of Williamson.
Albritton.	Hardy.
Baker.	Harman.
Barnett.	Harper.
Beck.	Harrison.
Bradley.	Heaton.
Brice.	Hefley.
Carpenter.	Hines.
Cox of Navarro.	Hogg.
Cox of Lamar.	Holder.
Cox of Limestone.	Hornaday.
Davis.	Hubbard.
Dunlap.	Jenkins.
Enderby.	Johnson of Smith.
Ewing.	Johnson of Scurry.
Eickenroht.	Jones.
Finlay.	Justiss.
Forbes.	Kayton.
Gerron.	Keller.

Kincaid.	Renfro.
King.	Richardson.
Land.	Rountree.
Lee.	Sanders.
Lemens.	Savage.
Long of Wichita.	Shelton.
Loy.	Sherrill.
Mankin.	Simmons.
Martin.	Sinks.
Mauritz.	Smith.
Maynard.	Snelgrove.
McCombs.	Stephens.
McDonald.	Stevenson.
McGill.	Storey.
McKean.	Strong.
Minor.	Tarwater.
Moore.	Thurmond.
Mosely.	Tillotson.
Mullally.	Turner.
Murphy.	Van Zandt.
Negley.	Veatch.
Nicholson.	Wallace.
O'Neill.	Walters.
Palmer.	Warwick.
Pavlica.	Webb.
Petsch.	White.
Pool.	Williams
Pope of Jones.	of Travis.
Prendergast.	Woodall.
Quinn.	Woodruff.
Reader.	Young.
Reid.	

Nays—3.

Bounds.	Waddell.
Marks.	

Present—Not Voting.

Kennedy.

Absent.

Acker.	Johnson
Anderson.	of Dimmit.
Baldwin.	Montgomery.
Brooks.	Olsen.
Chastain.	Patterson.
Coltrin.	Pope of Nueces.
Finn.	Purl.
Gates.	Ray.
Graves of Erath.	Speck.
Harding.	Westbrook.
Kinnear.	

Absent—Excused.

Avis.	Mehl.
Bateman.	Metcalfe.
Bond.	Morse.
Conway.	Rogers.
DeWolfe.	Shaver.
Duvall.	Shipman.
Fuchs.	Thompson.
Gilbert.	Wiggs.
Hopkins.	Williams
Keeton.	of Sabine.
Kemble.	Williams
Kenyon.	of Hardin.
Long of Houston.	

Mr. Young, by unanimous consent, offered the following amendment to the bill:

Amend the caption to conform to all amendments made in the body of the bill.

The amendment was adopted.

House bill No. 28 was then passed to engrossment by the following vote:

Yeas—103.

Mr. Speaker.	Mauritz.
Ackerman.	Maynard.
Adkins.	McCombs.
Albritton.	McDonald.
Baker.	McGill.
Barnett.	McKean.
Beck.	Minor.
Bradley.	Moore.
Brice.	Mosely.
Carpenter.	Mullally.
Coltrin.	Negley.
Cox of Navarro.	Nicholson.
Cox of Lamar.	O'Neill.
Cox of Limestone.	Palmer.
Davis.	Pavlica.
Dunlap.	Petsch.
Enderby.	Pool.
Ewing.	Pope of Jones.
Eickenroht.	Prendergast.
Finlay.	Quinn.
Forbes.	Reader.
Gerron.	Reid.
Giles.	Renfro.
Graves	Richardson.
of Williamson.	Rountree.
Hardy.	Sanders.
Harman.	Savage.
Harper.	Shelton.
Harrison.	Sherrill.
Heaton.	Simmons.
Hefley.	Sinks.
Hogg.	Smith.
Holder.	Snelgrove.
Hornaday.	Stephens.
Hubbard.	Stevenson.
Jenkins.	Storey.
Johnson	Strong.
of Dimmit.	Tarwater.
Johnson of Smith.	Thurmond.
Johnson of Scurry.	Tillotson.
Jones.	Turner.
Justiss.	Van Zandt.
Kayton.	Veatch.
Keller.	Wallace.
Kincaid.	Walters.
King.	Warwick.
Land.	Webb.
Lee.	White.
Lemens.	Williams
Long of Wichita.	of Travis.
Loy.	Woodall.
Mankin.	Woodruff.
Marks.	Young.
Martin.	

Nays—2.

Bounds. Kennedy.

Absent.

Acker.	Montgomery.
Anderson.	Murphy.
Baldwin.	Olsen.
Brooks.	Patterson.
Chastain.	Pope of Nueces.
Finn.	Purl.
Gates.	Ray.
Graves of Erath.	Speck.
Harding.	Waddell.
Kinnear.	Westbrook.

Absent—Excused.

Avis.	Kenyon.
Bateman.	Long of Houston.
Bond.	Mehl.
Conway.	Metcalf.
DeWolfe.	Morse.
Duvall.	Rogers.
Fuchs.	Shaver.
Gilbert.	Shipman.
Hines.	Thompson.
Hopkins.	Wiggs.
Keeton.	Williams of Sabine.
Kemble.	Williams of Hardin.

Reasons for Votes.

House bill No. 28 does not, in my judgment, provide or embody the provisions that are best and necessary for the safest and most practical and economical determination of a site and the centralization of the prison system of Texas, one of the omissions being that it does not provide for a scientific survey and investigation for the determination of the site that would be the most practical and economical to the State of Texas; but because of the emergency demanding action at this session of the Legislature, which may become impossible if this bill is defeated, I am voting for the bill and ask that this statement be printed in the Journal.

JOHNSON of Dimmit.

I have compromised my better judgment to support this bill as was agreed upon by the committee, but I did so hoping something definite could be done with the prison situation. I am yet of the opinion that the law ought to restrict the location of the main plant on one of the farms below Houston.

YOUNG.

HOUSE BILL NO. 28 ON THIRD
READING.

Mr. Sinks moved that the constitutional rule requiring bills to be read on

three several days be suspended and that House bill No. 28 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—102.

Mr. Speaker.	Mauritz.
Ackerman.	Maynard.
Adkins.	McCombs.
Albritton.	McDonald.
Baker.	McGill.
Barnett.	McKean.
Beck.	Minor.
Bradley.	Moore.
Brice.	Mosely.
Carpenter.	Mullally.
Coltrin.	Negley.
Cox of Navarro.	Nicholson.
Cox of Lamar.	O'Neill.
Cox of Limestone.	Palmer.
Davis.	Pavlica.
Dunlap.	Petsch.
Enderby.	Pool.
Ewing.	Pope of Jones.
Eickenroht.	Prendergast.
Finlay.	Quinn.
Forbes.	Reader.
Gerron.	Reid.
Giles.	Renfro.
Graves	Richardson.
of Williamson.	Rountree.
Hardy.	Sanders.
Harman.	Savage.
Harper.	Shelton.
Harrison.	Sherrill.
Heaton.	Simmons.
Hefley.	Sinks.
Hogg.	Smith.
Holder.	Snelgrove.
Hornaday.	Stephens.
Hubbard.	Stevenson.
Jenkins.	Storey.
Johnson	Strong.
of Dimmit.	Tarwater.
Johnson of Smith.	Thurmond.
Johnson of Scurry.	Tillotson.
Jones.	Turner.
Justiss.	Van Zandt.
Keller.	Veatch.
Kincaid.	Wallace.
King.	Walters.
Land.	Warwick.
Lee.	Webb.
Lemens.	White.
Long of Wichita.	Williams
Loy.	of Travis.
Mankin.	Woodall.
Marks.	Woodruff.
Martin.	Young.

Nays—3.

Bounds.	Waddell.
Kennedy.	

Absent.

Acker.	Kinnear.
Anderson.	Montgomery.
Baldwin.	Murphy.
Brooks.	Olsen.
Chastain.	Patterson.
Finn.	Pope of Nueces.
Gates.	Purl.
Graves of Erath.	Ray.
Harding.	Speck.
Kayton.	Westbrook.

Absent—Excused.

Avis.	Long of Houston.
Bateman.	Mehl.
Bond.	Metcalfe.
Conway.	Morse.
DeWolfe.	Rogers.
Duvall.	Shaver.
Fuchs.	Shipman.
Gilbert.	Thompson.
Hines.	Wiggs.
Hopkins.	Williams
Keeton.	of Sabine.
Kemble.	Williams
Kenyon.	of Hardin.

The Speaker then laid House bill No. 28 before the House on its third reading and final passage.

The bill was read third time.

Mr. Young offered the following amendment to the bill:

Amend House bill No. 28 by adding after the word "lands" in line 5 and before the word "and" the following, "with full rights of entry to explore for, produce and transport any and all minerals."

The amendment was adopted.

House bill No. 28 was then passed by the following vote:

Yeas—104.

Mr. Speaker.	Gates.
Ackerman.	Gerron.
Adkins.	Giles.
Albritton.	Graves
Baker.	of Williamson.
Barnett.	Hardy.
Beck.	Harman.
Bradley.	Harper.
Brice.	Harrison.
Carpenter.	Heaton.
Coltrin.	Hogg.
Cox of Navarro.	Holder.
Cox of Lamar.	Hornaday.
Cox of Limestone.	Hubbard.
Davis.	Jenkins.
Dunlap.	Johnson
Enderby.	of Dimmit.
Ewing.	Johnson of Smith.
Eickenroht.	Johnson of Scurry.
Finlay.	Jones.
Forbes.	Justiss.

Kayton.	Reader.
Keller.	Reid.
Kincaid.	Renfro.
King.	Richardson.
Land.	Rountree.
Lee.	Savage.
Lemens.	Shelton.
Long of Wichita.	Sherrill.
Loy.	Simmons.
Mankin.	Sinks.
Marks.	Smith.
Martin.	Snelgrove.
Mauritz.	Stephens.
Maynard.	Stevenson.
McCombs.	Storey.
McDonald.	Strong.
McGill.	Tarwater.
McKean.	Thurmond.
Minor.	Tillotson.
Moore.	Turner.
Mosely.	Van Zandt.
Mullally.	Veatch.
Negley.	Wallace.
Nicholson.	Walters.
O'Neill.	Warwick.
Palmer.	Webb.
Pavlica.	White.
Petsch.	Williams
Pool.	of Travis.
Pope of Jones.	Woodall.
Prendergast.	Woodruff.
Purl.	Young.
Quinn.	

Nays—3.

Bounds.	Waddell.
Kennedy.	

Absent.

Acker.	Montgomery.
Anderson.	Murphy.
Baldwin.	Olsen.
Brooks.	Patterson.
Chastain.	Pope of Nueces.
Finn.	Ray.
Graves of Erath.	Sanders.
Harding.	Speck.
Hefley.	Westbrook.
Kinnear.	

Absent—Excused.

Avis.	Kenyon.
Bateman.	Long of Houston.
Bond.	Mehl.
Conway.	Metcalfe.
DeWolfe.	Morse.
Duvall.	Rogers.
Fuchs.	Shaver.
Gilbert.	Shipman.
Hines.	Thompson.
Hopkins.	Wiggs.
Keeton.	Williams of Sabine.
Kemble.	Williams of Hardin.

Mr. Loy moved to reconsider the vote by which the bill was passed, and to table the motion to reconsider.

The motion to table prevailed.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, May 3, 1929.

Hon. W. S. Barron, Speaker of the
House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 1, A bill to be entitled "An Act to provide for a system of pardons and paroles, and to create a board to investigate and recommend to the Governor prisoners who should be pardoned or released on parole or on furlough; to provide for the supervision of prisoners released on parole; and making an appropriation to pay the salaries and defray the expenses of the board and its employees, etc., and declaring an emergency."

S. B. No. 8, A bill to be entitled "An Act amending Chapter 156 of the Acts of the Regular Session of the Fortieth Legislature of the State of Texas of 1927, relating to administrative judicial districts, by adding thereto sections to be numbered Sections 10a, 10b and 10c, etc., and declaring an emergency."

S. B. No. 25, A bill to be entitled "An Act to create Brazoria county drainage district number four (4) in Brazoria county, Texas, etc., and declaring an emergency."

S. B. No. 24, A bill to be entitled "An Act to create Brazoria county drainage district number three (3) in Brazoria county, Texas, etc., and declaring an emergency."

S. B. No. 26, A bill to be entitled "An Act to create Brazoria county drainage district number nine (9) in Brazoria county, Texas, etc., and declaring an emergency."

S. B. No. 35, A bill to be entitled "An Act to provide for the creation of a common school district embracing an entire county having a scholastic population of more than four hundred and less than six hundred, etc., and declaring an emergency."

Respectfully,

MORRIS C. HANKINS,
Assistant Secretary of the Senate.

SENATE BILLS ON FIRST READING.

The following Senate bills, received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate bill No. 1, to the Committee on Penitentiaries.

Senate bill No. 8, to the Committee on Judicial Districts.

Senate bill No. 25, to the Committee on Conservation and Reclamation.

Senate bill No. 24, to the Committee on Conservation and Reclamation.

Senate bill No. 26, to the Committee on Conservation and Reclamation.

Senate bill No. 35, to the Committee on School Districts.

ADJOURNMENT.

Mr. Kayton moved that the House adjourn until 10 o'clock a. m. next Monday.

Mr. Quinn moved that the House adjourn until 9 o'clock a. m. Monday.

The motion of Mr. Kayton prevailed and the House, accordingly, at 6 o'clock p. m., adjourned until 10 o'clock a. m. next Monday.

APPENDIX.

STANDING COMMITTEE REPORTS.

The following committees have today filed favorable reports on bills, as follows:

Education: House bill No. 9.

State Affairs: House bill No. 97 and House concurrent resolution No. 4.

Game and Fisheries: House bill No. 100.

Appropriations: House bill No. 83.

School Districts: Senate bill No. 35.

The Committee on Criminal Jurisprudence filed an unfavorable report on House bill No. 30.

REPORTS OF THE COMMITTEE ON ENGROSSED BILLS.

Committee Room,

Austin, Texas, May 3, 1929.

Hon. W. S. Barron, Speaker of the
House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 87, A bill to be entitled "An Act to correct the official spelling of the name of the county of Zavalla, Texas,"

Has carefully compared same and find it correctly engrossed.

McCOMBS, Chairman.

Committee Room,

Austin, Texas, May 2, 1929.

Hon. W. S. Barron, Speaker of the
House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 18, A bill to be entitled

"An Act to amend Article 2786 of the Revised Civil Statutes of 1925, by requiring all school district bonds to mature serially; repealing all laws or parts of laws, general or special, in conflict, and declaring an emergency,"

Has carefully compared same and find it correctly engrossed.

McCOMBS, Chairman.

Committee Room,
Austin, Texas, May 2, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 19, A bill to be entitled "An Act providing for the compensation of certain employes of the State penitentiary system, and declaring an emergency,"

Has carefully compared same and find it correctly engrossed.

McCOMBS, Chairman.

Committee Room,
Austin, Texas, May 3, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 2, A bill to be entitled "An Act providing for the transportation of pupils to and from school, and declaring an emergency,"

Has carefully compared same and find it correctly engrossed.

McCOMBS, Chairman.

Committee Room,
Austin, Texas, May 2, 1929.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 31, A bill to be entitled "An Act to amend Article 2781, Revised Statutes, 1925, relating to term of contract of superintendents, principals, teachers or other executive officers in independent school districts; repealing Article 2782, Revised Statutes, 1925, which exempts the cities of Dallas and Fort Worth; repealing all laws in conflict herewith, and declaring an emergency,"

Has carefully compared same and find it correctly engrossed.

McCOMBS, Chairman.

ELEVENTH DAY.

(Monday, May 6, 1929.)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Barron.

The roll was called, and the following members were present:

Mr. Speaker.	Marks.
Acker.	Mauritz.
Ackerman.	Maynard.
Adkins.	McGill.
Anderson.	Mehl.
Barnett.	Metcalf.
Bond.	Montgomery.
Bounds.	Moore.
Bradley.	Mosely.
Brice.	Mullally.
Carpenter.	Negley.
Chastain.	Nicholson.
Coltrin.	Olsen.
Conway.	Palmer.
Cox of Navarro.	Patterson.
Cox of Limestone.	Petsch.
Dunlap.	Pool.
Duvall.	Pope of Jones.
Enderby.	Prendergast.
Ewing.	Purl.
Eickenroht.	Quinn.
Forbes.	Reid.
Gates.	Renfro.
Gerron.	Richardson.
Gilbert.	Rountree.
Giles.	Sanders.
Graves	Shaver.
of Williamson.	Shelton.
Hardy.	Sherrill.
Harding.	Shipman.
Harman.	Simmons.
Harper.	Sinks.
Heaton.	Smith.
Hines.	Snelgrove.
Hogg.	Speck.
Hubbard.	Stephens.
Jenkins.	Stevenson.
Johnson	Storey.
of Dimmit.	Strong.
Johnson of Smith.	Tarwater.
Johnson of Scurry.	Thurmond.
Jones.	Tillotson.
Justiss.	Turner.
Kayton.	Van Zandt.
Keeton.	Veatch.
Kemble.	Wallace.
Kennedy.	Walters.
Kincaid.	Warwick.
King.	Webb.
Kinnear.	White.
Land.	Wiggs.
Lee.	Williams
Lemens.	of Travis.
Long of Wichita.	Woodall.
Loy.	Woodruff.
Mankin.	Young.